Commentary

Volume Sixty-five, Number Five, May 1978

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Joseph Adelson

HISS, OSWALD, THE KGB, AND US Michael Ledeen

AFTER THE DOMINOES FELL Carl Gershman

WHY AUSCHWITZ WAS NEVER BOMBED David S. Wyman

CAN DEMOCRACY DEFEND ITSELF AGAINST TERRORISM? Joseph W. Bishop, Jr.

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N PRAISE OF RACHMANINOFF Samuel Lipman

A REPLY TO THE FINNS Walter Laqueur

Books in Review: Ben Halpern on Abba Eban
Peter Shaw / Arch Puddington / Roger Kaplan / Paul Hollander

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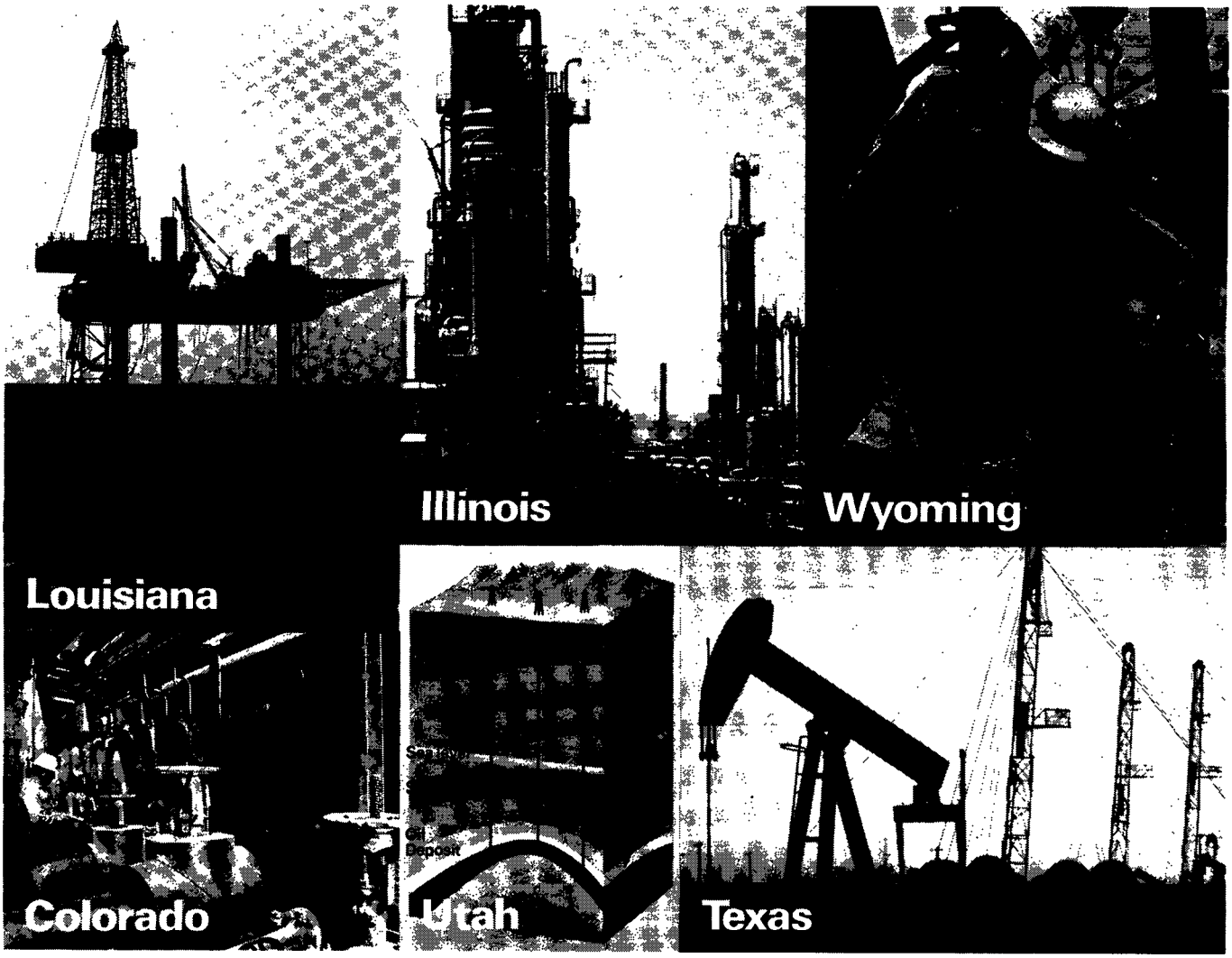

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Commentary

VOLUME 65 NUMBER 5 *MAY 1978*

Articles	23	Living with Quotas *Joseph Adelson*
	30	Hiss, Oswald, the KGB, and Us *Michael Ledeen*
	37	Why Auschwitz Was Never Bombed *David S. Wyman*
	47	After the Dominoes Fell *Carl Gershman*
	55	Can Democracy Defend Itself against Terrorism? *Joseph W. Bishop, Jr.*
Observations	63	From Moscow to Jerusalem—and Points West *Maurice Friedberg*
Music	67	In Praise of Rachmaninoff *Samuel Lipman*
Letters	6	from *Walter Laqueur, Paul C. Warnke, Edward N. Luttwak, Anthony T. Bouscaren, Frederic Wile, Gary Watkins, Ellen Ehrlich, Mortimer T. Cohen, Philip Groth, Guenter Lewy, Arthur A. Chiel, John E. Chappell, Jr., Samuel McCracken,* and others
Books in Review	72	Abba Eban: An Autobiography *Ben Halpern*
	76	Freaks, by Leslie Fiedler *Peter Shaw*
	78	Grassroots: The Autobiography of George McGovern *Arch Puddington*
	83	Discipline and Punish, by Michel Foucault *Roger Kaplan*
	86	The Giants: Russia and America, by Richard J. Barnet *Paul Hollander*

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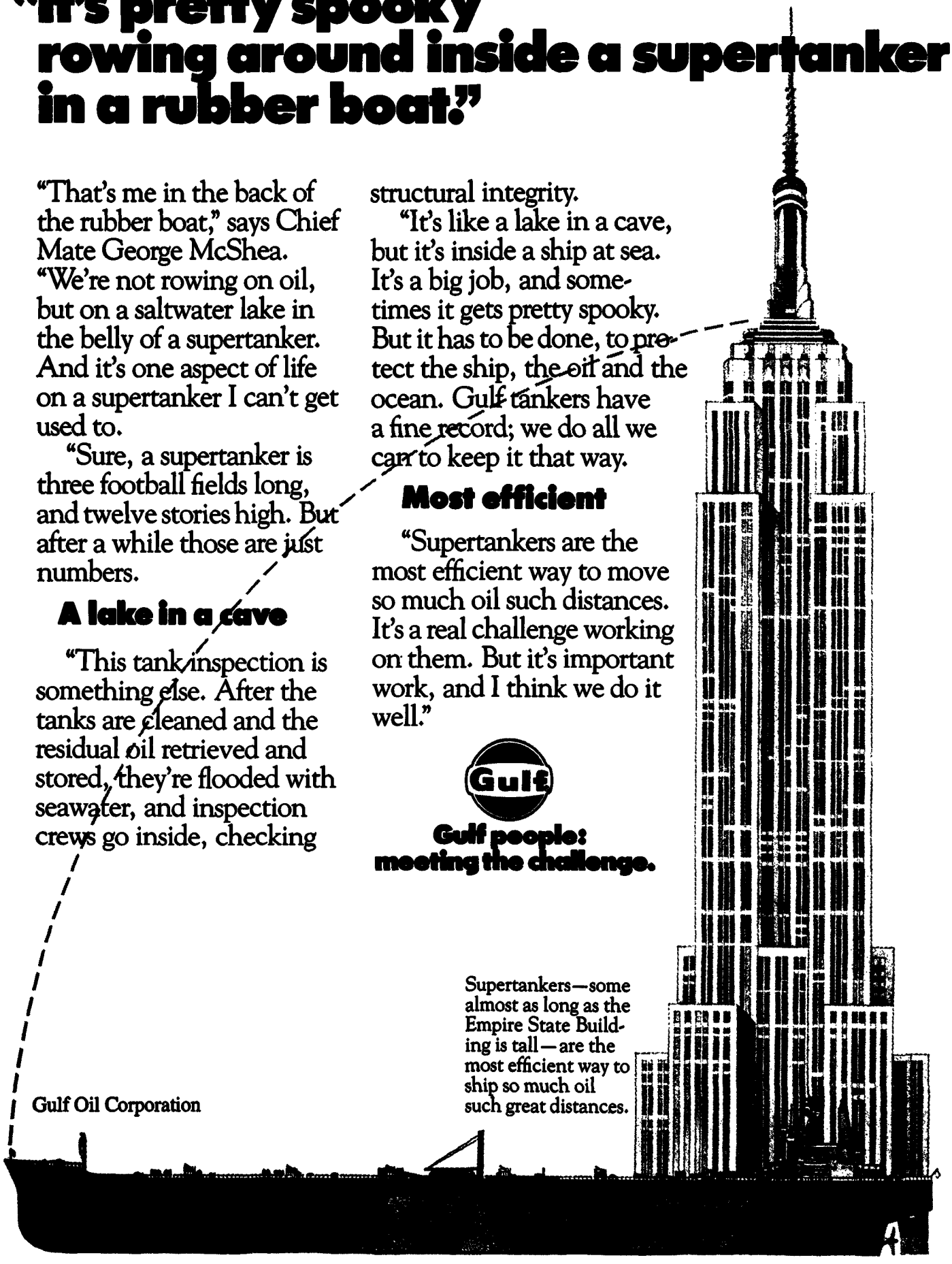

Supertankers—some almost as long as the Empire State Building is tall—are the most efficient way to ship so much oil such great distances.

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In sponsoring COMMENTARY, the American Jewish Committee aims to meet the need for a journal of significant thought and opinion on Jewish affairs and contemporary issues. Its pages will be hospitable to diverse points of view and belief, and it hopes to encourage original creative endeavor in the various fields of culture. The opinions and views expressed by COMMENTARY's contributors and editors are their own, and do not necessarily express the Committee's viewpoint or position. The sponsorship of COMMENTARY by the Committee is in line with its general program to enlighten and clarify public opinion on problems of Jewish concern, to fight bigotry and protect human rights, and to promote Jewish cultural interest and creative achievement in America.

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Letters from Readers

A Reply to the Finns

TO THE EDITOR OF COMMENTARY:

Readers of COMMENTARY might be interested to learn of the widespread comment which my article, "The Specter of Finlandization" [December 1977], attracted in Finland itself. A long excerpt was published in *Helsingin Sanomat*, Finland's leading newspaper, and this was followed by an editorial in the same newspaper, critical of the article but moderate in tone. Subsequently, editorials and columns, some of them increasingly agitated and strident, appeared in many newspapers and periodicals. The sheer volume of the reaction made it clear that my article had touched on an issue that, notwithstanding declarations from official Finnish circles, continues to trouble a great many people in Finland. It was, of course, impossible for me to reply to every critical remark, but I did attempt a general response. Here are two excerpts, the first from my letter to the editors of *Hufvudstadsbladet* and *Suomen Kuvalehti* and the second from my letter to the editor of *Helsingin Sanomat*:

> A recent article of mine on Finlandization has been widely commented upon in many Finnish newspapers and periodicals, and though this did not come as a total surprise, the implications of such a reaction are a little disturbing. I can think of several explanations for the outcry. If a foreigner has grossly slandered a country, it is, of course, the duty of every patriot to demonstrate his loyalty by denouncing him. But I do not think that my article falls into this category—not being involved in Finnish domestic affairs, I wrote about the subject with some detachment; my wish was not to attack, but to understand and to analyze. It is perfectly true that I was interested not only in Finland's internal but also in its external affairs; in this, however, I was following the advice frequently given by Finland's powerful neighbor, that the relationship between Finland and itself is worth studying as a model which other countries would do well to follow. Surely I cannot be blamed for accepting the advice of Messrs. Brezhnev, Kosygin, and Suslov.
>
> A second possible explanation for the publicity given to my article surely does not apply in this case. In an authoritarian political system the media are orchestrated; instructions are given to deal, in a hostile or friendly spirit, with certain subjects. But since there is freedom of the press in Finland, such an interpretation is unwarranted.
>
> Lastly, there is the possibility, indeed the likelihood, that however inoffensive in approach, my article touched a nerve; those who now take such pains to refute me (and my name, after all, is not a household word in Finland) must feel in their hearts that beyond all the official rationalizations there is a genuine question: in what direction has Finnish democracy been moving? The violent reaction to my article in some quarters shows a certain unease over this question.
>
> It would be unprofitable to cover the same gound again, but permit me to make some general observations. While foreigners have no right to interfere in Finnish policy, or in that of any other country, they certainly have the right to observe and to comment; only dictatorships expect that such comment will always be laudatory. I was concerned with the internal "adjustments" in Finnish politics, and since it is my view that these have gone well beyond the limits imposed by Finland's geopolitical position, my remarks were hardly acceptable to those who favor such "adjustments" and even want to improve upon them. But as good democrats, they might show a little tolerance for views which differ from their own.
>
> I have been criticized for having adduced only one slender volume in defense of my arguments. But the essay published in COMMENTARY was an abridged version of a chapter in a book; it is not customary in an essay to cite all one's references. Although I have not read everything, many books and articles pertaining to the subject were translated for me. Incidentally, when I started out, my own views on Finlandization were not unlike those of George F. Kennan, until I began to study the texts of the major speeches of Finland's political figures, freely available in English and Russian translation. It was only then, when I compared the "official ideology" with the reality, that the discrepancies between theory and practice became obvious to me. In short, my doubts arose as a result of reading the official documents rather than as a result of the

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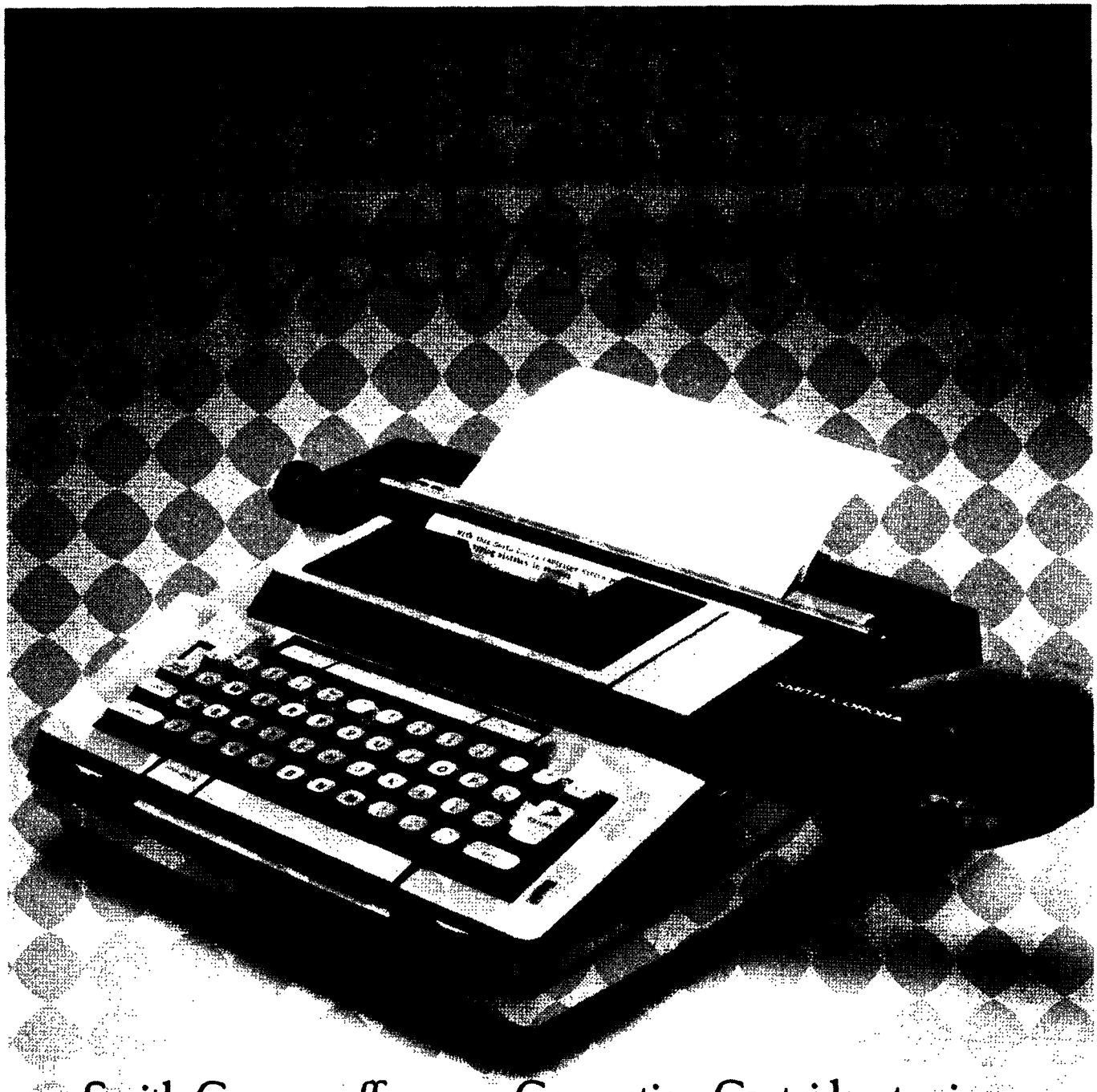

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strictures of critics of Finlandization.

You refer to the remarks of George F. Kennan on Finland in his recent book, *The Cloud of Danger*. Mr. Kennan, like Voltaire's Pangloss, seems to believe that everything is for the best so far as democracy in Finland is concerned. I think it a mistake to attribute too much weight to Mr. Kennan's views; he would be the first to admit that he is not really familiar with the Finnish domestic situation. I still admire some of his works, but just as I cannot share his defense of official South African policy (and, until recently, Rhodesian policy), I cannot accept what he says on Finlandization, though in fairness to him it should be noted that his references to Finland consist of three or four sentences in a book of two hundred pages. The reviewer in the London *Times* called *The Cloud of Danger* a flawed, superficial collection, filled with defeatist generalizations. This is a harsh judgment, for a book covering the whole world cannot possibly deal in depth with every subject. But it is true that the book does exhibit a defeatist undertone.

This brings me to my last point. One of your writers published a most revealing article, "Sven Tuuva's Time Is Over." Sven Tuuva, if I remember correctly, is the legendary hero in Runeberg's *Ensign Steel's Tales* who fell in the war against the Russians in 1808-9, fighting alone on a bridge against a whole platoon of Cossacks. I could not agree more that in our nuclear age the time for such heroics is clearly over. But we should perhaps spare an occasional thought for those poor, misguided heroes of a bygone age who were willing to give their lives for their country. Without them, Finland (and quite a number of other countries) would probably not enjoy independence today. The real point is that, between the Joan of Arcs on the one hand and the Pétains and Lavals on the other—between the extremes of foolhardy and suicidal defiance of a stronger power and obsequious collaboration—there is still some middle ground. It is my impression, however, that Finland at present is not faced with the danger of too great a pendulum swing in the direction of the Sven Tuuvas of this world.

* * *

The editorial in *Helsingin Sanomat* says that at times an outsider (meaning myself) may see a truth "which we do not lightly admit to ourselves." But the editorial also says that my article shows how difficult it is for a stranger to give an unbiased account of Finland. Not reading Finnish, I depend on friends who translate for my benefit articles from the Finnish press and speeches by politicians, and I admit that I am frequently mystified. I understand the words but the meaning is not always clear. But I suspect that I would still be puzzled even if I were able to read the original text. It is my impression that Finnish political language has become Aesopian, full of hints and allusions, devoid of open, let alone blunt, speaking; this does make it difficult for strangers to understand Finnish realities.

But is not the language part of the political reality, does it not reflect it? Are the reasons for the ambiguities and the lack of precision and openness mainly linguistic? I fear this is not the case, and this leads me to my next point. You seem to believe that only a conservative of the extreme Right would express concern over Finlandization, or even use the term. Nothing could be further from the truth. May I assure you that events in Finland are followed with increasing interest by men and women representing every part of the political spectrum in many countries, who are motivated not by hostility but by a feeling of sympathy and genuine concern?

A few illustrations should suffice. I have no reason to doubt that President Kekkonen is the greatest living Finnish statesman and also a most fervent patriot. But I am not aware of any other country in which one man has been elected President for twenty-four years in a row. As a historian and student of politics, I know, of course, of countries in which leaders are elected by a majority of 90 per cent, but these are usually not democratic societies. You will argue that Finland is a special case. Perhaps so, but the Finnish case seems to become more and more special every day, and this is bound to cause increasing bewilderment among foreigners.

Or let us take the "changes" undergone by the Finnish Social Democrats during the last ten or fifteen years. (I could think of a much more fitting term, but how easy it is to slide into Aesopian language.) Perhaps the Social Democrats have good reason to admire Communism as it is practiced in the Soviet Union; it is clearly not for an outsider to criticize them. But what puzzles the outsider is the fact that despite their rapprochement with the Communist party of the Soviet Union, despite the fact that they are now less independent and less critical of it than the Italian or French (let alone the Spanish) Communists, they continue to stress their attachment to the ideals and values of social democracy, they are still members of the Socialist International, and they try, admittedly without much success, to convert other social-democratic parties to their policy. One might wish for some clarification of the apparent contradictions here.

To choose another example at random, take the case of the so-called "Black Dozen." This group of moderate politicians has been harshly attacked and denounced as "unacceptable" to the Soviet Union, despite the fact that they have not deviated from the Paasikivi-Kekkonen line where Finnish foreign policy is concerned, but have simply followed a somewhat independent line in domestic politics. But—what is even more significant—no Finnish newspaper, to the best of my knowledge, has published their statements in full. How often, in recent Finnish history, has it been insinuated that someone or other is "unacceptable"? Under the circumstances, you will have to excuse the perplexity of foreign observers: on the one hand, we are assured that Finlandization is a figment of our imagination; on the other hand, there are many facts which cannot be explained away.

No one in his right mind would blame Finland because its relationship with the Soviet Union, for obvious reasons, is of a special character. The real issue is the "adjustments" that have taken place in Finnish domestic politics as a result of this relationship. Permit me to end this letter in a manner befitting an outside observer, with a question rather than an assertion: can it really be maintained that there has been no erosion of political freedom in Finland?

WALTER LAQUEUR
London, England

Arms Control

TO THE EDITOR OF COMMENTARY:

It was thoughtful of you to send me the advance copy of Edward N. Luttwak's article, "Why Arms Control Has Failed" [January]. I regret, however, that I cannot regard

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If your car gets dented, scratched, or chipped, try to get it repaired as soon as possible. Even a "small" scratch is bad. Because once a car starts to rust, the damage spreads fast. The paint around a dent or scratch can look okay, but rust is spreading underneath. In the long run, it's cheaper to fix the car right away.

A lot of people think that parking a car in a heated garage during the winter will help prevent rust. But it's just the opposite. Cold slows down the rusting process, as it does most chemical reactions.

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ONCE IN A GREAT WHILE an artist appears whose work is not only beautiful and utterly original, but whose vision seems uniquely suited to the taste of a particular audience of art lovers. Just such a happy conjunction has occurred in the case of the young American artist David Bennett, from whom the editors of COMMENTARY have commissioned this strikingly brilliant original print. Two hundred impressions have been made. One of them has been presented to the Jewish Museum in New York, where it now forms a part of the permanent collection. The plates have been destroyed, and no more impressions will ever be executed.

THE WORK The venerable patriarch Jacob is captured at the moment of bestowing his precious gift, the coat of many colors, on the child of old age whom he loved, as the Bible says, "more than any other of his sons." At the center, Joseph the dreamer looms monumentally as his older brothers look on in distress and envy and his father wraps the legendary robe around him.

THE TECHNIQUE In this linoleum cut, the artist has utilized a highly decorative style with simplified forms expressed in bright, flat colors. Never has the coat of many colors appeared so rainbow-like or breathtakingly vivid. By limiting himself to the three primary colors of red, blue, and yellow, juxtaposing and surprinting to explore their potential for richness and contrast, the artist has achieved a technical tour-de-force in which surface brilliance and depth of feeling combine to produce a work of sinuous beauty.

THE ARTIST David Bennett is a rare phenomenon. He is an American whose initial recognition has been earned abroad, and whose acclaim has turned largely on his sensitive and profound handling of religious subjects. Since his first one-man exhibition at the Galerie Delfs in Munich in 1974, his work has been seen and repeatedly applauded throughout Western Europe. A typical European review extols the jewel-like effect of his work; another compares him to Chagall "in his ability to free biblical representations from crusty traditions and present them anew." Bennett's first American one-man exhibition will open next fall at the Maurice Spertus Museum in Chicago, and will travel from there to the Judah L. Magnes Museum in San Francisco, the Skirball Museum in Los Angeles, and the Jewish Museum in New York, among others.

THE EDITION A limited edition of two hundred impressions of *Joseph's Coat of Many Colors* has been executed in Europe by the firm of George Andor, and these, signed and numbered by the artist, have been handsomely framed in New York City at the Gallery of Graphic Arts. The 17"x20½" printed image has been matted to 25"x30". In a gold-toned metal frame, with all-rag white mat, *Joseph's Coat of Many Colors* is a work of enduring artistic value.

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this as a serious analysis of the problems and consequences of arms-control efforts.

PAUL C. WARNKE
Director
United States Arms Control
and Disarmament Agency
Washington, D.C.

EDWARD N. LUTTWAK writes:

Since Paul C. Warnke is now the principal arms-control official of the United States government, I have read the full corpus of his writings on arms control in an earnest attempt to ascertain what "serious analysis" might be. It appears that Mr. Warnke believes that the entire problem of limiting international armaments is merely one of controlling animalistic impulses, and that the United States, as the more accomplished nation, should lead the way by example. My own view, however, is that the leaders of the Soviet Union have a strategy, and that it is purposeful, and that some of its objectives may be attained by inducing precisely those beliefs that Mr. Warnke expresses in his writings. It was for this reason that so many Senators voted against his nomination, and not because of the *ad hominem* attacks relayed by the less scrupulous among the columnists. Mr. Warnke's refusal to controvert the arguments I advanced and his resort to a cavalier dismissal do not augur well for the great national debate on SALT that is now approaching

Vietnam

TO THE EDITOR OF COMMENTARY:

Guenter Lewy's article setting the record straight about Vietnam ["Vietnam: New Light on the Question of American Guilt," February] is superb. It deserves the widest possible circulation, especially in our colleges and universities. . . .

ANTHONY T. BOUSCAREN
Fayetteville, New York

TO THE EDITOR OF COMMENTARY:

It is sad, as Guenter Lewy points out, that the best America can produce in reaction to the Vietnam debacle is intensive but unjustified demagoguery. This is so like the period following the "loss of China"—except for the role reversal of McCarthy's critics—that it is no wonder we have learned little from our post-World War II Asian involvements.

We have a way of projecting our unrealistic expectations and subsequent disappointments onto indigenous realities in foreign lands and coming up with distorted conclusions and assumptions. This pattern helped promote our unrealistic entry into Vietnam and now threatens an equally inappropriate withdrawal from Korea.

If we do not, as Mr. Lewy suggests, begin to examine ourselves and others dispassionately, the vicious cycle will persist, with potentially calamitous results.

FREDERIC WILE
New York City

TO THE EDITOR OF COMMENTARY:

. . . Guenter Lewy tells us that we have to remember that the Vietnam war "was no more destructive of civilian life. . . than other armed conflicts of this century." Of this, I suppose, we should be . . . proud. But the author ignores the fact that the American people, even after having been fed all the items which Mr. Lewy says were distorted, recognized the futility of the continuation of the war and wanted it ended. . . . Does Mr. Lewy think that the American people would *not* have wanted the war ended if his so-called "detailed calculations" had been known? Does Mr. Lewy really think he can get us to believe that the Vietnam war can be "examined dispassionately"?. . .

MARILYN S. HERSHFIELD
Byfield, Massachusetts

TO THE EDITOR OF COMMENTARY:

. . . Guenter Lewy draws his conclusions from classified documents supplied by the American armed forces. With the long record the federal government has had of deceiving the public about its involvement and actions in Vietnam, it is hardly likely that these documents would supply much information *against* the armed forces. . . .

FREDERICK R. LEWIS
Canandaigua, New York

TO THE EDITOR OF COMMENTARY:

Guenter Lewy's insensitivity to the peoples of Vietnam in his apparent desire to "write off" American wrongdoing (guilt) in the Vietnam war is a blatant example of a scholar blindly choosing facts to justify his position. In his section, "Population Relocation and Free-Fire Zones," Mr. Lewy states: "Efforts were made to return evacuees to their homes as soon as hostilities ceased." . . . But here is the Army's official version of the total destruction of Ben Suc, a South Vietnamese village of 6,000 residents, taken from *Cedar Falls, Junction City: A Starting Point*, part of the Army's documented "Vietnam Studies" series:

> Insuring the dominance of the Vietcong in the Iron Triangle area was the village of Ben Suc, located in a loop of the Saigon River at the far northwest corner of the triangle. It was an enemy-controlled village, a fortified supply and political center, and the hub of an area estimated to contain approximately 6,000 persons. The village had been under firm enemy control since at least 1964 when a South Vietnamese battalion was driven out by the enemy. . . .
>
> This attack [Cedar Falls] had to be a swift, decisive strike directly into the enemy stronghold, not the methodical probing technique used in previous operations. A plan for a massive assault by helicopter into the village itself was visualized—over 400 men and 60 helicopters simultaneously—total surprise! There would be no preparatory fires. . . .
>
> Just after the assault ships had departed, helicopters with loudspeakers and South Vietnamese announcers aboard circled the village at low altitude and broadcast the following message: "Attention people of Ben Suc. You are surrounded by Republic of South Vietnam and Allied forces. Do not run away or you will be shot as VC. Stay in your homes and wait for further instructions." The inhabitants were then further instructed to go immediately to the old schoolhouse. . . .
>
> Most of the villagers followed the instructions; those who attempted to evade and leave the village were engaged by the blocking forces. Adjacent rivers were patrolled for any escapees. Tactical surprise was almost complete; the enemy was unable to offer any cohesive resistance to the landing. . . .
>
> By 10:30, 8 January [1967], Ben Suc was securely in the hands of the friendly forces and the 2nd Brigade command post had been established in the village. During the two and one-half hours since the initial landing, a total of forty enemy had been killed in action, with only light friendly causualties. . . .
>
> Following the interrogations and screening, 106 individuals were detained; of these, twenty-eight were classified as Vietcong. . . .
>
> The villagers were permitted to take with them anything they could carry, pull, or herd, to include their water buffalo. What they could not

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take was retrieved by the U.S. and South Vietnamese troops and returned to the natives at the relocation center. A total of 5,987 persons was evacuated (582 men, 1,651 women, and 3,754 children). Also moved to the relocation site were 247 water buffalo, 225 head of cattle, 158 oxcarts, and 60 tons of rice. . . .

With the continuing, systematic evacuation of Ben Suc under the control of South Vietnamese forces, U.S. 1st Division troops were freed for deployment into other areas of the Cedar Falls operation. All that remained for 1st Division troops was the razing of Ben Suc after its inhabitants had been removed.

As the villagers and their belongings moved out, bulldozers, tankdozers, and demolition teams moved in. . . .

When the village had been flattened by the engineers, there was yet one more blow to be dealt to Ben Suc by Colonel Kiernan's professionals. A large cavity was scooped out near the center of the area, filled with ten thousand pounds of explosives . . . covered, tamped, and then set off by a chemical fuse within minutes of the predicted time of detonation. . . .

One of the major objectives of Operation Cedar Falls had been achieved; the village of Ben Suc no longer existed.

The Army's figures show that the total number of "classified" Vietcong found in Ben Suc, dead or otherwise, was sixty-eight—a little more than 1 per cent of Ben Suc's 6,000 residents. . . . What happened to the *people* of Ben Suc, to *their* land, to the graves of *their* ancestors? And did the relocation of Ben Suc live up to the sanctions of Article 49: "Persons thus evacuated shall be transferred back to their homes as soon as hostilities in the area in question have ceased"?

Perhaps Mr. Lewy will argue that the American Army in South Vietnam was not technically an "Occupying Power" and therefore the Army's *total* destruction of Ben Suc, and of hundreds of other Vietnamese villages, was not *technically* a "war crime." If that is so, . . . is the total destruction of a people's homeland not a crime against humanity?

GARY WATKINS

New York City

TO THE EDITOR OF COMMENTARY:

Guenter Lewy makes a serious charge with reference to CBS News's

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coverage during the Vietnam war. Mr. Lewy alleges that on October 9, 1967, the CBS Evening News showed a young American soldier cutting off the ear of a dead Vietcong soldier. Mr. Lewy further alleges that "an investigation disclosed that the soldier and another man in the same unit had acted on a 'dare' after being offered a knife by a CBS cameraman, who then filmed the sequence." Mr. Lewy also writes that "CBS News was informed of how the incident had been provoked, but refused to run a correction."

Mr. Lewy is totally in error in his implication that a cameraman "provoked" the incident or "dared" the soldier.

CBS News investigated the circumstances and found that one of the soldiers had asked our cameraman for a knife. The cameraman, who was unaware of the reason the soldier wanted the knife, gave it to him. It seemed to be an innocent request.

It is hardly scholarly of Mr. Lewy to write such allegations without ever asking CBS News its side of the story and to accept the apparent statements of the soldiers.

At the end of the segment on October 9, 1967, our reporter noted "the emotional state of some of these men and their anger and sorrow at the loss of their buddies." The reporter continued that "there were no officers present when this took place. They probably would have stopped this. And, if one must rationalize, we have no indication of what happens to the bodies of American dead which fall into Vietcong hands."

I suggest that if Mr. Lewy wants his thesis to be taken seriously, he should get his facts straight.

ELLEN EHRLICH
Director of Information Services
CBS News
New York City

TO THE EDITOR OF COMMENTARY:

In his discussion of United States military activities in Vietnam, Guenter Lewy refers to a 1967 report on the relative absence of napalm-burn cases in South Vietnamese hospitals. I would presume he is referring to a report made by a group headed by Dr. Howard Rusk of the NYU Medical Center.

Dr. Rusk said he did not see a single case of burns caused by napalm while touring Vietnam. Now, if he had seen fewer cases than propaganda sources claimed, I might agree that the stories of widespread napalm bombing of civilians—including children—were exaggerations. But to claim, as Dr. Rusk did, that he had seen none at all, makes me question not his veracity, but the manner in which the South Vietnamese government conducted his tour of the hospitals.

I cannot check on every reference Mr. Lewy uses, but his citing Dr. Rusk as a source leads me to view with some skepticism his general conclusions. I would also say, and this is without malice, that the same arguments Mr. Lewy uses for removing from United States personnel much of the guilt of terrorist and atrocious conduct, could be used to prove either that the Nazis did not exterminate 6 million Jews, or did not kill more than 750,000. And this has been done by several writers whose manipulation of figures and quoting of decontextualized material gives a very, very impressive appearance to what is merely special pleading.

MORTIMER T. COHEN
New York City

TO THE EDITOR OF COMMENTARY:

. . . I was struck by the assurance with which Guenter Lewy cites various consensuses of legal opinion, the general practices of states, and the articles of international legal conventions as morally consistent with American military practice in Vietnam. Yet Mr. Lewy himself hints that the list of military measures not forbidden by international law is a matter of dispute among legal authorities. He says, for example: "Lauterpacht . . . even [*sic*] grants an occupying power the right to 'general devastation'" under conditions he (Lauterpacht) designates. At worst, judgments of the legality of military practice reduce one to rooting for the "away team." This is illustrated in Mr. Lewy's account of the political skullduggery of the Vietnam Veterans Against the War. All in all, we might do well to ponder if what is fair in war can be settled by appeal to legal principle.

Consider Mr. Lewy's contention that "it is well established under the laws of war that once civilians act as support personnel, they cease to be noncombatants and are subject to attack." If true, this statement attests to the ferocity of legal norms. And Mr. Lewy himself states that Vietnamese villagers may have acted as support personnel "under duress."

Legal principles, in some cases, may serve as blank checks for military exuberance. In regard to defoliation and crop destruction, Mr. Lewy states: "Once approved in principle, both . . . programs quickly escalated. Between 1968 and 1971 . . . 46.4 per cent of the total forest area [was] sprayed one or more times." . . .

Invocation of legal principles may serve to crystallize moral issues raised by American conduct in Vietnam. I believe, however, that such principles raise as many issues as they settle. . . .

PHILIP GROTH
Louisiana State University
Baton Rouge, Louisiana

GUENTER LEWY writes:

In view of the tremendous impact of the Vietnam experience on our national life, I believe it to be essential, contrary to Marilyn S. Hershfield, that the Vietnam war be "examined dispassionately." This task may not be easy, but it is not impossible, any more so than writing a responsible account of, say, the Holocaust or other chapters in human history which provoke our moral outrage and therefore challenge our objectivity and our capacity for detachment. Whether the American people, if provided with a more truthful account of our conduct in Vietnam, would have supported the war longer than they did is a question none can answer.

Frederick R. Lewis questions the usefulness of the classified documents which I utilized. In my view, the classified record, not meant for public consumption, is an extremely important source, though it obviously cannot be considered conclusive. Within any governmental bureaucracy, civilian or military, many memoranda, directives, and rules are drafted and issued to safeguard careers or with an eye to the future historian. Still, contrary to widespread assumption, the political and military establishment is not monolithic, and the classified record in fact contains a great amount of information highly critical of our performance in Vietnam. An easy way to verify this finding is to read the *Pentagon Papers*. It is symptomatic of the ideological fervor which characterizes the Vietnam debate to this day that many Americans accept as fact those portions of the Defense Department's internal history of the Vietnam conflict which serve their

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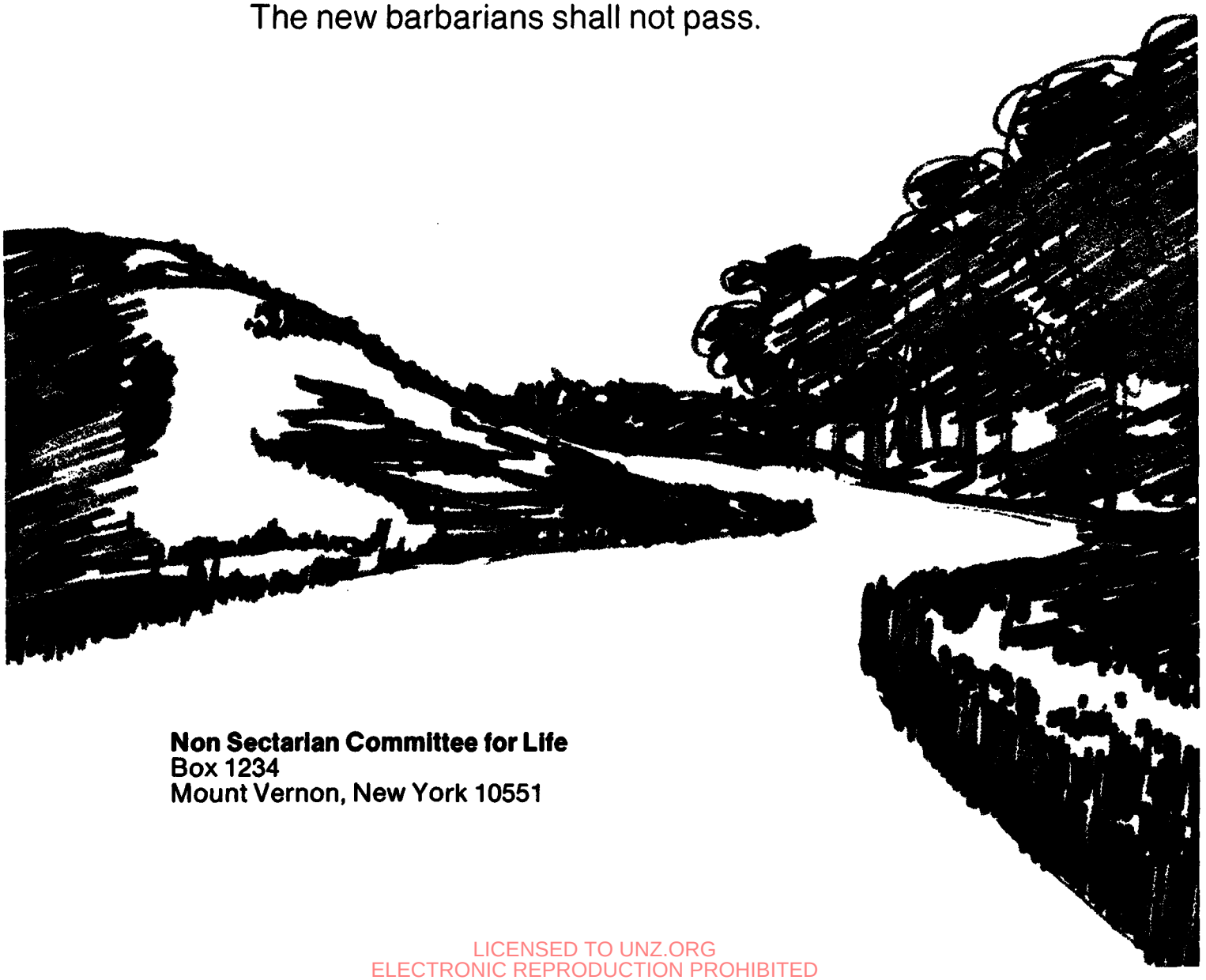

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own particular point of view while rejecting as tainted and unreliable any documents from the same source which they deem inconvenient and out of line with their political position.

If American forces in Vietnam had engaged in the deliberate and "total destruction of a people's homeland," with which they are charged by Gary Watkins, they would indeed have been guilty of illegal and immoral conduct. But surely the example of the destruction of Ben Suc does not support so sweeping an indictment. The relocation of villagers and the creation of free-fire zones in VC-dominated areas were often ill-advised and counterproductive measures, but they were not in violation of the relevant law of war and they certainly did not involve anything like the total devastation of South Vietnam.

With regard to the ear-cutting episode, the Army's investigators concluded that the CBS cameraman had "aided and abetted" the criminal conduct of the two soldiers. We also have sworn testimony at another court-martial held in March 1969, unrelated to this affair, which supported the charge that the cameraman had "dared" the soldiers to have the ear cut off. Putting together all the pieces of information at my disposal, I continue to disbelieve the cameraman's assertion that he did not know what use was going to be made of his knife. It is interesting to speculate how the audience of this news story would have reacted had they been told that the knife used in the atrocity was that of the cameraman filming the event.

Mortimer T. Cohen contends that my arguments could be used to prove that the Nazis did not exterminate 6 million Jews. I find this statement, even if made "without malice," rather offensive. One would expect serious charges like the "manipulation of figures" or the "quoting of decontextualized material" to be supported by some evidence. The only point of substance on which Mr. Cohen takes me to task—the number of napalm victims—certainly does not amount to such evidence. Quite the contrary. Mr. Cohen writes that my "citing Dr. Rusk as a source" leads him "to view with some skepticism [my] general conclusions." Dr. Rusk's failure to find a single case of napalm burns during his visit to Vietnam may or may not be indicative of his veracity. In my account, however, I neither cited nor relied on his testimony. My main sources were the report of a group of distinguished physicians, headed by Dr. F. J. L. Blasingame, and that of another group of doctors representing the Committee of Responsibility to Save War-Burned and War-Injured Vietnamese Children. Dr. Rusk was not a member of either of these two visiting medical teams. Both groups reported that the majority of burn victims seen by them were injured in household accidents rather than by napalm, and this finding has been confirmed by several non-American physicians who worked as volunteers in Vietnamese hospitals.

I agree with Philip Groth that adherence to the law of war cannot always be considered an adequate and sufficient measure of moral conduct. Back in the 17th century, Hugo Grotius, the father of modern international law, quoted with approval the advice of Agamemnon to Pyrrhus in Euripides' *The Trojan Women*: "What the law does not forbid, then let shame forbid." This counsel retains its point. As I wrote at the end of my essay, much that happened in Vietnam was legal but could be criticized on other grounds, including humanitarian principles. Nevertheless, the fact that American military tactics for the most part did adhere to the norms of international law remains morally relevant. Brutality and human suffering accompany all wars. The side that makes a genuine effort to abide by those minimum standards of civilized conduct required by the law of war should, at the very least, not be treated as a moral outcast.

Ivy League Anti-Semitism

To the Editor of Commentary:

In his review of Bruce Kuklick's *The Rise of American Philosophy: Cambridge, Massachusetts 1860–1930* [Books in Review, February], Jack Beatty legitimately laments the anti-Jewish attitude of Harvard's philosophers who, despite their wisdom, failed "to transcend the lowest moral limits of their time." That limitation, alas, was not confined to Harvard; it was a poison in all of the Ivy League.

Among the papers of James R. Angell, Yale's president (1921-37) are to be found several letters that shed additional light on this . . . issue. . . . On June 1, 1922, Dr. Angell wrote to Harry A. Garfield, president of Williams College, to inquire about the Jewish admissions policy at Williams. In reply, Garfield sent Angell a copy of a letter he had just written to Professor William E. Hocking. This letter . . . is shocking for what it reveals of the attitude on the part of a Jewish alumnus of Williams College who was willing to help implement a *numerus clausus* for his alma mater. Garfield wrote:

> . . . Fearing the increase in numbers of Jews entering with, I think, the class of 1914, the students gave expression to their feeling upon the subject by demonstrations which merited and received comment from me at one of the morning chapel exercises. Shortly thereafter, a recent graduate, Mr. Greenbaum, a son of Judge Greenbaum of New York, came to see me, asking my attitude concerning the presence of Jews here. I told him that we were always ready to receive men of the right sort, whether Jews or Gentiles, but added that, as he well knew, a Jew very seldom was admitted to our fraternities and that the Orthodox Jew would probably find objection to our required attendance upon chapel exercises; moreover, that most of the Jews seeking admission to our colleges and universities desired courses leading directly to business and professional pursuits rather than the courses offered at an institution like Williams.
>
> Mr. Greenbaum suggested that if I would send him before the opening of each college year a list of Jews seeking entrance to Williams, he would undertake to keep away the undesirable sort. To this I replied that it seemed to me that the circumstances made it neither desirable nor necessary to attempt to shift the responsibility for admission of any class of students to others than the constituted authorities; that, however, I was interested to know how it would be possible for him and his associates to administer such an arrangement if it were made. He replied that the Jews living in and about New York, the region from which most of our Jews have come, may in general be divided into two classes, those whom we, as well as they, would regard as desirable and those who are seeking to make their way socially into the class of Jews regarded by them as more desirable. This being so, he stated that if they informed any applicant that it would

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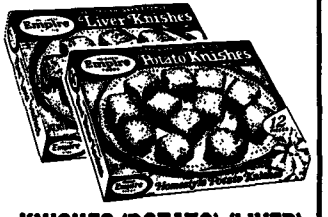

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be undesirable for him to enter here, the applicant would withdraw. What, if anything, has been done by Mr. Greenbaum, I do not know, but the fact is that after that time there was a falling-off in the number of Jewish applicants for admission and that the question has not presented itself as a problem to us.

President Angell sent the following response to Garfield on June 5, 1922:

. . . I judge that our Harvard friends have been passing through a rather unpleasant experience as a result of their discussion of methods of discouraging Hebrew patronage.

I am greatly interested in the suggestion made by Mr. Greenbaum and still more in the apparent effects of his proposal. Some of our people here have been getting a little nervous, but we have as yet taken no action of any kind.

The Harvard philosophers who should have been wiser were not alone in their loss of "the way to wisdom." They were aided and abetted by others of mean spirit in high academic places.

[Rabbi] ARTHUR A. CHIEL
Congregation B'nai Jacob
Woodbridge, Connecticut

Nuclear Power

TO THE EDITOR OF COMMENTARY:

In answering my objections to his article promoting nuclear power ["The War Against the Atom," September 1977], Samuel McCracken [Letters from Readers, March] accuses me of failing to take space for details on solar power. Perhaps I may yet be allowed more space to meet this objection.

Skeptics on the promise of solar power can learn much from the following sources: Wilson Clark's *Energy for Survival* (1974), which gives details of workable solar projects; many recent issues of *The Mother Earth News*, which supply even more examples; Barry Commoner's *The Poverty of Power* (1976), which discusses how costs of solar photovoltaic cells can be brought down to a competitive level as were costs of hand calculators; Amory Lovins's landmark article in *Foreign Affairs* (1976), and his several books, all of which provide a broad rationale for departing from prevailing energy policies; and the informative series of reports on direct and indirect solar energy sources in *Science*, beginning in the July 15, 1977 issue. From such sources one learns, for instance, that solar energy is not limited to large-scale centralized generating plants, but is most appropriately generated near the point of use. Nor does anyone expect that all power needs for northerly or cloudy climates will be generated directly from the sun alone; diversity of sources is the key to Amory Lovins's "soft" path of development. And as Lovins has convincingly argued in recent issues of *Not Man Apart*, such changes do not need to reduce standards of living; nor do conservation and reduced energy use. On all these points, Mr. McCracken misrepresents the situation.

Such plans for alternative energy sources may be debatable and open to improvement, but they are not irrational, as Mr. McCracken asserts. It is not so much a question of misplaced "faith," as of misplaced *funding*. The big money now goes to the energy methods already in vogue, and so those methods continue to flourish. Different priorities will obviously produce different results.

The Lovins path, or something close to it, will also result in more democratic, independent styles of life. In his continuing accusations of undemocratic methods against the Clamshell Alliance, which generally promotes the Lovins path, Mr. McCracken ignores the reasonable view that minorities usually do the leading, even in a democracy. In other words, elitism does have its place; but elites are not necessarily defined in terms of existing position and privilege—rather, ability to think into the future and willingness to serve unselfishly provide a rationale for elitism even within a democratic framework. At any rate, the debate centers on New Hampshire seacoast citizens and their allies, collectively the Clamshell Alliance. These constitute a majority in the region where a nuclear plant is now being built. But they have yet to command, despite Mr. McCracken's reference to anti-nuclear media personnel, anywhere near the financial and propagandistic clout of pro-nuclear forces (whose heavily-funded New Hampshire demonstrations last June, for example, were widely reported in the Boston press, which totally ignored an even larger alternative energy fair in Western Massachusetts). It is no "cynicism" to believe, with John Locke, that peoples' views reflect their experiences. Let us therefore provide them with more balanced reading and listening experiences than they have been used to, even though Mr. McCracken contends that it would show a lack of faith in democracy not to let them judge on the basis of what they already know. Finally, as for "force" on either side, police and judges in New Hampshire, California, and elsewhere at the scenes of peaceful anti-nuclear protests have provided by far the greater share of that.

Mr. McCracken issues another unfounded insult by accusing me of "ignorance" of the fact that a 6 degree centigrade rise in average world temperature, if produced by more CO_2 from coal burning, might constitute a serious problem. His own "agnostic" view, as he labels it, evidently hides from him the clear meaning of what I actually said: that the best experts predict nothing close to such a rise. An ultimate (not for a few decades at least) rise of about 2 degrees centigrade is a much more widespread guess, and even this is far from certain, as Stephen Schneider, Syukuro Manabe, and others have just reaffirmed at the February 1978 meetings of the American Association for the Advancement of Science in Washington. I might add that while CO_2 in the air has risen to historical highs in the last forty years, the earth's temperature has been generally declining; obviously some more influential force is at work right now, and might continue to outweigh CO_2 influence in the future as well.

But of course dissident energy groups in general do not recommend either combustion or shaft mining of coal. The same forces who oppose Seabrook also deplore coal mining and use and the resultant air pollution in Navajo country. Strong opposition to coal-fired plants and their associated transmission lines has developed in Minnesota. Thus Mr. McCracken does not refute my case simply by repeating his disapproval of coal-fired energy, even when he continues to ignore the still unknown costs of waste disposal when claiming it is cheaper to use nuclear energy.

Statistics can be assembled to back almost any argument. The key to judging confusing claims often lies in the purposes, the sym-

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pathies, and the overall philosophy of the advocate. Mr. McCracken reveals extreme suspicion of minority technologies. He scoffs at the very word "faith" as applied to their possible future deployment. He voices explicit unconcern over the problem of unemployment as it relates to energy development. And he continues to play down the dangers of nuclear-weapons proliferation. . . . *On such grounds as these,* . . . I reject Mr. McCracken's advice, and instead opt for the democratic, humanitarian vision of the growing number of anti-nuclear, pro-alternative energy advocates throughout America and the world.

JOHN E. CHAPPELL, JR.
San Luis Obispo, California

SAMUEL MCCRACKEN writes:

John E. Chappell, Jr., continues to be a careless reader. I did not accuse him of failing to take space for details on solar power. I merely noted that he had not supplied such details.

As for the sources Mr. Chappell now cites, none demonstrates what he promised they would demonstrate in his first letter, namely, that many forms of solar energy are now commercially feasible as replacements for fossil and nuclear fuels, and that still more would spring to life were it not for the big, bad Establishment.

As Mr. Chappell himself notes, Barry Commoner's argument is that photovoltaic cells *will* be commercially feasible, not that they are now. Amory Lovins's intellectual prestidigitation starts by assuming that electricity use can be so drastically curtailed that hydropower and co-generation can supply all our electricity. (What we will do when the dams silt up in a century or so he does not say.) He asserts, rather than demonstrates, *pace* Mr. Chappell, a major role for solar power. Scattered among the granola recipes and articles on pyramid power in *The Mother Earth News* one can indeed find many articles on small-scale solar projects, of precisely the sort I called practical in my article. So what else is new? Nor need one go to *Science* to learn that solar power is not limited to central generation. In my article I stated my belief in the eventual practicality of single-family houses dependent almost entirely on locally-converted solar energy. That is, of course, a long way from operating the Northeastern conurbation on solar energy, even with the help of other minor sources.

Mr. Chappell's calm assertion that *different funding patterns for* energy research would "obviously produce different results" reminds us that there really *are* people who believe that problems can be solved by throwing money at them.

To turn to political theory, Mr. Chappell has now slightly refined his theory of authoritarianism. Now we are to be governed by a foresighted minority who will rule us without thought of personal reward. This ruling class of Mr. Chappell's sounds rather like the pigs in *Animal Farm,* as described by their propagandist: "Comrades, I trust that every animal here appreciates the sacrifice that Comrade Napoleon has made in taking this extra labor on himself. Do not imagine, Comrades, that leadership is a pleasure! On the contrary, it is a deep and heavy responsibility. No one believes more firmly than Comrade Napoleon that all animals are equal. He would be only too happy to let you make your decisions for yourselves. But sometimes you might make the wrong decisions, Comrades, and then where should we be?"

Mr. Chappell's refusal to judge between lawbreakers and law enforcers as regards the use of force is tantamount to a rejection of the rule of law except, of course, when the law is used to delay a reactor.

When he originally asked me whether a predicted 11-degree rise in temperature was celsius or fahrenheit, he said: "It does make quite a difference." This can only mean, in the context, that if it were fahrenheit—that is, the smaller possibility—it might not matter. I repeat that I have no firm opinion on the question of climate change itself. When the experts themselves are divided on an issue, the layman should choose sides with great reluctance. I should mention, however, that Mr. Chappell's own favorite, Amory Lovins, believes that there is a serious danger from increased CO_2.

At the risk of repeating myself: Mr. Chappell and his associates have not proved that there is a practicable short-term alternative to coal and nuclear fission. Thus, when they oppose both sources of energy, they are really opposing the conversion of energy itself.

As I pointed out in my previous reply to Mr. Chappell, I do *not* ignore waste disposal in calculating the cost of nuclear energy. The figures cited include an estimate for this cost. Perhaps Mr. Chappell believes that if he keeps on making his inaccurate assertion persistently enough, at length even I will come to believe it.

Mr. Chappell, finally, appears not to want to be confused with the facts. He infers—how inaccurately! —my "purposes, . . . sympathies, and . . . overall philosophy" from my argument, and then uses that inference to judge the argument. Prejudice is not improved as an intellectual tool by being made circular.

For Mr. Chappell, a reasoned request for evidence of potential in what he calls "minority" technologies is equivalent to "extreme suspicion," and a preference for reason over faith in matters scientific is "scoffing." He appears to believe that inferior sources of energy conversion ought to be preferred over superior ones if they will create more jobs. And he apparently simply cannot believe that it is possible to disagree on the actuality of the dangers of weapons proliferation.

Although he ends his letter in a fine burst of rhetorical mush about democracy and humanitarianism (it is the mush that is objectionable, not democracy or humanitarianism), the most striking thing about Mr. Chappell's argument is its narrowness and its extreme rigidity. It does not seem to occur to him that honorable people can differ as to facts or that his view of the world is open to challenge. In this, Mr. Chappell is not atypical among nuclear critics.

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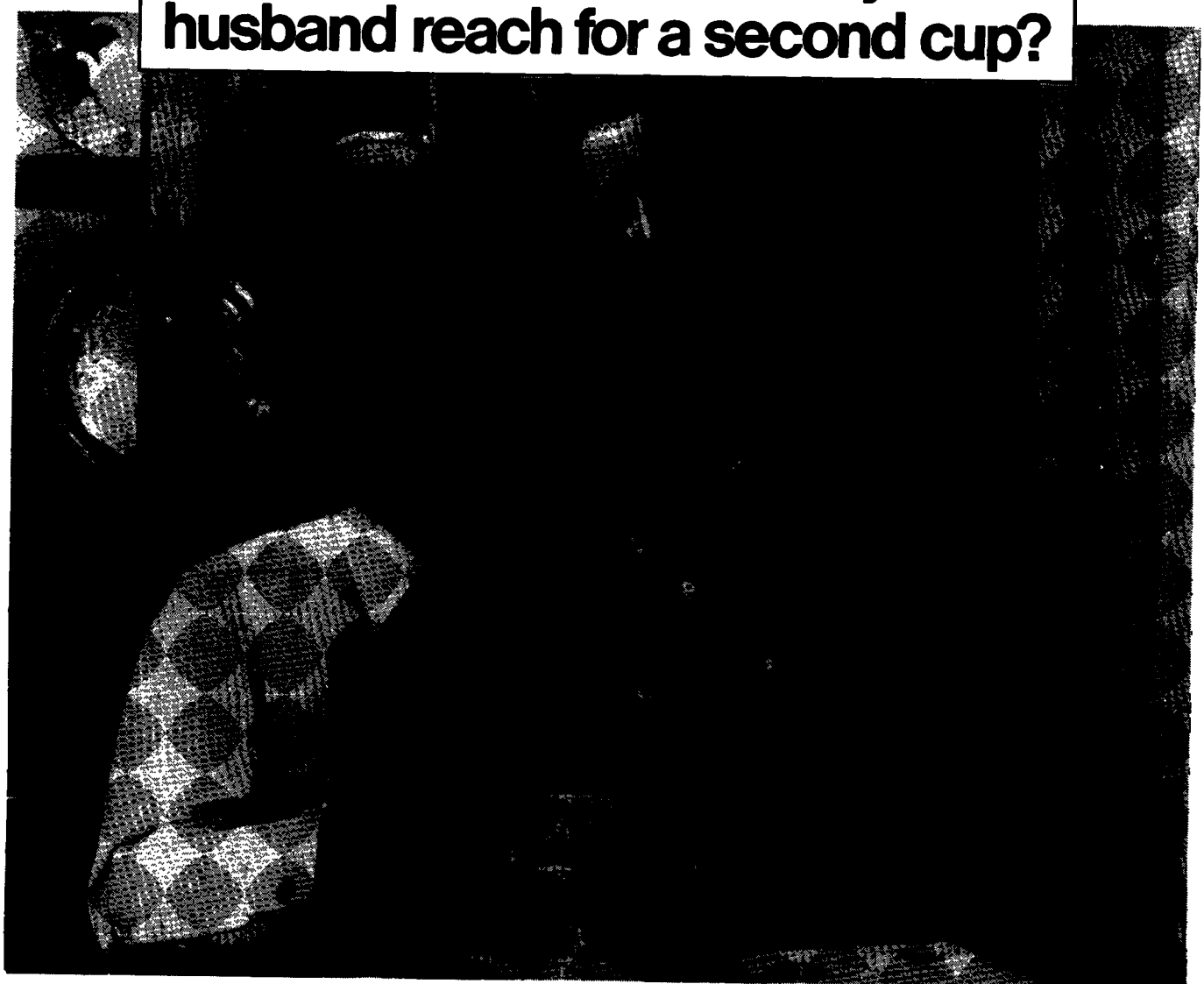

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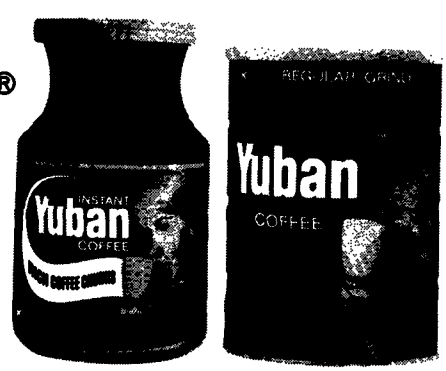

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Starving people. Sick cities. Poverty. Even mass psychosis. It seems as if everything has been blamed on the Population Explosion. But did that Bomb ever go off? In the first of a 3-part series on "The Enemies of Growth" Ben Wattenberg challenges some of our most common assumptions.

2 **Pig of the World**
Thursday, May 25
Critics like **Stewart Udall** say America is ripping off the world's resources. Wattenberg discounts this gloomy view of economic rape and ecological panic.

3 **Enemies of Growth**
Thursday, June 1
Some environmentalists think vigorous economic growth is bad news. Wattenberg thinks some environmentalists are bad news. Guests: **Senator Henry Jackson**. *Harper's* Editor, **Lewis H. Lapham**

4 **Mother, Flag and Apple Pie**
Thursday, June 8
The Sixties. Long hair, communes and revolution. The Seventies. Haircuts, houses and three-piece suits. What happened? **Senator S. I. Hayakawa** and **Ramsey Clark** have different views.

5 **The State of the Unions**
One hour Special
Tuesday, June 13, 8 pm
Unions. Liberals say they've forgotten the downtrodden. Conservatives think they strangle the economy. But where would we be without them? Guests: **Lane Kirkland, Cesar Chavez, Milton Friedman, Albert Shanker.**

6 **Two Cheers for the CIA**
Thursday, June 15
Who needs the CIA anyway? If you have to ask that, you'd better watch this. Guests: Former CIA Chiefs **Richard Helms** and **William Colby.**

7 **The Totalitarian Temptation**
Thursday, June 22
Is Europe drifting away from freedom? Does it really matter to us? Author **Jean Francois Revel** talks about the temptations of totalitarianism.

8 **The War of the Intellectuals**
Thursday, June 29
Many intellectuals think America has gone down the drain. Meet one who doesn't. A special interview with **Norman Podhoretz**, Editor of *Commentary* magazine.

9 **Black Progress**
Thursday, July 6
Despite rhetoric to the contrary, American Blacks have made remarkable strides in the last 15 years. **Julian Bond, Alex Haley, Bayard Rustin** and others look at the puzzle of Black progress.

10 **There's No Business Like Big Business**
Thursday, July 13
Big Business, the modern American villain. Has it really failed us? Or have we failed to understand Big Business? Ben Wattenberg argues with **John Kenneth Galbraith.**

11 **The Good Guys of History**
Thursday, July 20
Viet Nam shattered our good guy image. **Senator Daniel P. Moynihan** and **Secretary James Schlesinger** think it's time to put the pieces back together before it's too late.

12 **Hail to the Chief**
Thursday, July 27
Presidents have been called imperial—out of touch with the people. **Lady Bird Johnson, Dean Rusk** and **William Safire** disagree.

13 **Worker's Lib**
Thursday, August 3
Work. Boring? Meaningless? Impersonal? Ben Wattenberg says that's bunk. Guest: **George Meany**, President of the AFL-CIO.

"A funny thing happened on the way to the Bicentennial. The dominant rhetoric of intellectual discourse turned gloomy—surely on the left, often on the right. We have poor-mouthed, crisis-mongered and guilt-peddled ourselves half to death.

"I believe, despite what we hear these days, that the American experience has been a successful one—that it has set into motion a remarkably healthy and creative process around the world. And I believe that most Americans share that view.

"Last year, public television produced **In Search Of the Real America** as a challenge to the chorus of failure, guilt and crisis. Tonight begins a second season—now in a weekly format. The purpose remains the same—to look at America today and to separate social facts from social fiction."

Ben J. Wattenberg

Ben J. Wattenberg is the author of *The Real America* and co-author of the best selling *The Real Majority*. A former aide and speechwriter for President Lyndon Johnson, Senators Hubert Humphrey and Henry Jackson, Wattenberg has helped write two Democratic Party platforms and is now Chairman of the Coalition for a Democratic Majority. He has been active as a business consultant. He is a Senior Fellow at the American Enterprise Institute, where he co-edits the new magazine, *Public Opinion*.

In Search of the Real America Begins Thursday, May 18 at 8:30 on PBS

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Living with Quotas

Joseph Adelson

SEVERAL MONTHS ago, former President Gerald Ford spoke to a political-science class at my university. During the question period that followed he was asked for his views on the Bakke case, and replied that he was opposed to "arbitrary numerical quotas." Thereupon the class broke into what the local newspaper termed "vociferous applause."

A few days later I was interviewed by a young journalist who thought the story might be worth pursuing. He had himself been so disbelieving of the original press account that he had sought out and listened to the tape made during the former President's appearance. Sure enough, he told me, the applause had been enthusiastic, so much so that he would describe it as turbulent. He was dumbfounded. Is that what the students really felt? At Michigan—of all places—the founding campus of SDS? What did it mean? Was I as surprised as he was? I told him I would not have expected the students to have made public their private feelings, but was not at all surprised by the direction and intensity of those feelings; that most students in my experience have come to despise "affirmative action" because of the double standards it imposed, and which victimized them; furthermore, that most of the faculty I knew were equally scornful because of the duplicities these programs have come to involve; and that to my certain knowledge many in the administration hoped, in private, that the Court would hold for Bakke and thus rescue them from their own cant. And *that,* I said, was the story he ought to write. He ought to reflect upon his own surprise, and recognize that the press had made almost no effort to discover whether racial-preference programs—after nearly a decade in place—had in fact fulfilled their promises, and what faculty and students now thought about them. Why such indifference to reality? What was at work, I suggested, was a strong wish not to know, to sustain a state of self-deception.

At this my interviewer became noticeably morose. He told me he felt very ambivalent about the problem. He had himself been in graduate school several years earlier, had been disturbed by the poor quality of minority students then enrolled; on the other hand, he could see no alternative except to admit many such students in the hope that some of them would make it. So he could not bring himself to write that story. Perhaps someone else could; perhaps I could. And with that we returned to the story he wanted to write, a "changing mood of the campus" piece.

NOTE THAT the key term in this anecdote is *doubleness.* The journalist describes himself as ambivalent (of mixed or double feelings). The students resent the double standard, and the faculty feel themselves forced into duplicity (double dealing). The administration is troubled by its hypocrisy (double facedness). These and other dualities dominate the history of affirmative action and in a sense fittingly, since these programs have from the beginning been haunted by an unacknowledged ambiguity or doubleness of purpose—whether to expand opportunity, or to compensate for prior injustice. The major means chosen has been a double-track system of admissions. Unable to confess to these contradictions, those in charge of racial-preference programs find themselves using deceptive or ambiguous language—that is, of mixed or double meaning: most commonly, the word "goal" when "quota" is meant, or, as will be evident later, the word "qualified" when in fact "marginal" or "unqualified" is correct. To sustain these deceptions, or to keep them hidden, other dualities come into play: the world is divided between insiders and outsiders, those who are and are not privy to secret information; or a schism develops between public and private discourse, the first tending toward blandness and boosterism, the second toward rumor and innuendo. The ultimate effect is a corruption both of language and conduct.

Does that seem overstated? Yet consider that in a milieu like the university, where one is customarily buried in statistics, it is generally difficult to obtain accurate information on the comparative credentials of majority and minority students, or on the relative attrition rates of the two groups, or on the costs—many of them hidden—that these programs entail. Since any good news is an immediate stimulus for publicity and self-congratulation, one tends to assume, in most cases correctly,

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that no news is bad news. The subordinating of information to policy is something we have become accustomed to in other domains of public life, but it takes some getting used to at the university, and it has had a troubling effect on the way its members regard themselves and relate to each other.

An example: last summer a professor I know was called by a law firm and asked whether he could obtain some data on his university's medical school's admissions policies. The firm was preparing an amicus brief for the then-forthcoming Bakke hearing before the Supreme Court, and wanted to argue that objective credentials—test scores, grade point—were in fact valid predictors of achievement in medical school. Though it was generally held by expert sources that this was so, they had been unable to find enough published evidence, despite a thorough search of the literature, and were now fairly sure it was being suppressed. Perhaps as an insider he could obtain data pertaining to his own medical school. The professor thought he could; he remembered that an old friend of his had connections there and would no doubt have the information. He called upon the friend who first asked him, suspiciously, which side he was on, then told him, bitterly, that he did not think the data would be released, and that one ought to expect to get the runaround from the medical school. Not that one could trust the figures in any case, since the admissions dean was known to put the best face on things. There were only two sure ways to get the data—to threaten to sue if it were not released, but since that would take time, a more expedient means would be to find a Deep Throat, someone at the medical school who had access to the information and would be willing to steal it!

FINDING both these alternatives too troubling to contemplate, the professor thereupon arranged an informal, off-the-record interview with the admissions dean, representing himself as sympathetic but concerned, and thus inducing the dean to unburden himself. The dean depicted himself as a beleaguered man, caught between the university administration, which kept urging him to keep the minority numbers up, and the medical-school faculty, which kept wanting him to keep the standards up. The trouble was that the administration was not being realistic about what level of intellectual quality was required to complete medical school these days. He had some serious questions about many of the minority students he was admitting, perhaps as many as half. Some of them he knew would not be able to make it through, and he felt sorry for what would happen to them. But he was even more worried about those who would just manage to get through and were, as he saw it, doomed to a career of marginal competence. Medicine became every day more technical, more demanding; and he doubted that they could keep up. It was not a matter of race. During the 50's the medical schools had so few really good applicants that they accepted and pushed through many white students of low quality. And what had happened to them? The dean was convinced that this was the group now giving medicine its rotten public image, through malpractice suits and Medicaid ripoffs. And at that point, he launched into what the professor later characterized as "lurid medical detail."

It is tempting to linger over those details, since stories of incompetence—real, imagined, or prospective—form a familiar genre of academic gossip; yet in doing so we would ignore what may be far more significant—the skewed relationships among colleagues which this anecdote reveals: false assumptions, misunderstood motives, an atmosphere of mistrust and paranoia which comes to infect almost everyone involved. It is the ambience of a novel of intrigue—Eric Ambler, let us say. The professor, an innocent, embarks upon what seems to be a simple enough errand of discovery, and is quickly drawn into the suspicions of the milieu. A friend, hitherto open, at first mistrusts him, then, assured of his loyalty, warns him to expect thwarting and deceit, and hence feels it legitimate to deceive in return. (The friend, it will later turn out, is deceived in another sense, in that he misunderstands the dean's public statements, thinking they reflect his actual sentiments, which turns out not to be quite the case.) The professor, in hopes of evoking honesty from the dean, engages in some deceit of his own, simulating a sympathy he does not really feel. The dean reveals himself to be a deeply divided person, seeing himself compelled to offer entirely different messages to different audiences, telling the university administration one thing: "We're doing the best we can"; the medical-school faculty another: "Do the best you can, and I'll try to limit the damages"; the outside world still another: "Standards are not going down, you can count on that"; and apparently sympathetic insiders yet another: "*Caveat emptor.*"

What are we to make of the admissions dean? We may think of him as a divided, indeed fragmented soul, but it is unlikely that he would agree. Though he sees himself as subjected to contradictory pressures, he probably does not recognize the degree of inner division he must maintain. Nor would he accept our judgment that such extraordinary differences between public and private discourse amount to a form of fraud; he would be offended, or hurt, by that charge, since it does not take into account his sincere belief in racial equality. One is led ultimately to the idea that everyone is right—the dean is indeed divided, and to be so eases the practice of duplicity, itself in the service of an undeniable good.

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In this sense, the dean's contradictions, internal and external, are no different from those experienced by anyone who must serve the inherently divided, confused, ambivalent aims of a racial quota system—they are merely more visible, more dramatic, because of the peculiarly salient position he occupies. What strikes me as more important is that similar divisions, similar deceptions have now become commonplace, almost a habit of mind, so taken for granted as to escape notice. Another example: we are now at a faculty dinner party and one of the guests, looking like the cat who swallowed the canary, announces that he has managed to secure from the dean of his college a "slot," that is, permission to appoint an assistant professor—a rare opportunity given the privations we share. He is head of the search committee and is overwhelmed by the range and depth of talent available. There are several hundred applicants, and at least fifty seem good enough to warrant a closer look. The problem the committee will have is narrowing that number down to the handful who will be invited to visit—no simple task since a number of them—all younger than thirty—already have substantial bibliographies and burgeoning national reputations.

At this point another guest asks him whether there were any minority candidates, and if so what did they look like. He is startled by the question, then recovers, and says something like: "Oh yes, there was I believe—uh—one—and she was—oh—somewhere well below the midpoint." As he tells us this his face breaks into an astonishing sequence of expressions—first a slight closing of the eyes, almost a wink; then a sardonic half-smile; then the sudden assumption of the most solemn gravity. It is over in a moment, so quickly that no one else there, I suspect, caught that quick sequence, and I imagine I would not have seen it myself had I not at that time been pondering whether to write this essay. The final phase of that sequence—the solemn expression of sincerity—will be seen again, and more than once, certainly when he informs the departmental meeting of the committee's search for a candidate, of its success, and of the *earnest efforts* to find suitable minority candidates. It may also be seen in a later colloquy with the dean, wherein those efforts are again described, and in that conversation several persons will be present—my friend addressing the dean, the dean nodding gravely, my friend half-winking, half-smiling, to signal his detachment from and acceptance of the ritual, and the dean winking back. In that exchange they are signaling their submission to the improbabilities and absurdities of academic hiring in the era of affirmative action: the improbability that there is an undiscovered abundance of minority talent, that diligent search will uncover it, that bureaucratic monitoring (carried out by failed or mediocre academics) is necessary to insure the diligence of that search, because—*credo quia absurdum*—the modern university, that most liberal of American institutions, and beyond that devoted fanatically to the celebration of achievement, is nevertheless so steeped in racial bigotry that it cannot be trusted to recognize and overcome it independently.

In my view, it is the university's failure to resist that last, malicious idea, the idea of its bigotry, which is a major source of its current loss of dignity and self-respect.* But to return now to the professor and the dean, we may observe that the interchange between them, marked by acquiescence and inner disavowal, by a seeming acceptance of the forms and an aloof contempt for them, involves an internalization of dissent and thus its inhibition. Dissent is kept "inside," either inside the self, or inside the dialogue (as in the hinting and winking among "insiders") or within the "system," whatever that may be at the moment—the committee, the department, the college.

By keeping potential dissent confined to the family, one also keeps the secrets which occasion and sustain that dissent, in this case the illusions and falsehoods which have gathered around university quota systems. I have over time become convinced that this is not merely the effect of keeping dissent inside, but its unconscious intention. One is permitted to take a critical position about affirmative action as long as this is done on the grounds of high principle; but one produces consternation and panic through a descent to mere information. Several months ago I mentioned to a colleague of mine that I had collected some data which suggested the essential futility of our own well-regarded efforts in affirmative action, and that I was planning to bring these dolorous findings to the attention of our faculty. My friend looked at me in genuine horror and urged me not to do it, saying that many of our colleagues become agitated when confronted with unpleasant facts about our quota system.

I decided not to do it, no doubt prudently; but if you think my colleague's alarm overdone, consider the truly curious case of Dr. Bernard Davis of the Harvard Medical School. To remind you: Dr. Davis is a distinguished medical scientist who

*What is worse, the university masochistically subsidizes its own defamation, in its sponsorship of affirmative-action *apparatchiks* whose sole métier is the propagation of witless charges of racism and the like. Here is one of our own, addressing the multitudes: "There is no way a white male professor will bring a minority person into his clan." Here is another: "The old-boy network has always worked . . . there is really no affirmative-action program." All this, mind you, at a university which submits—meekly, obsequiously—to the most outrageous demands made upon it in the name of affirmative action. We still await the day when the leadership of a major university defends itself or its faculty against such derogation. The failure to do so both reflects and contributes to the university's loss of self-confidence.

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was one day overcome by an aberrancy of candor. It led him to write an editorial for the *New England Journal of Medicine*, in which he worried about a possible erosion of standards due to affirmative action. Having read the editorial a dozen times, I can attest that there is nothing in the least provocative about it, that it is cautious and sober to a fault. But it was Dr. Davis's error to cite a specific example, involving the waiving of requirements for a minority student, and it was that concreteness, one may imagine, that led the press to pick up the story. From that moment on, all of Dr. Davis's scrupulosity of tone was of no avail, since he had "gone public" (however fortuitously) and had offered a datum. He was thereupon the object of demonstrations, denunciations, and a motion of censure brought against him by the more thuggish elements of the Harvard medical faculty, many of them no doubt Life Members of the ACLU.*

The gravamen of the charge directed against Dr. Davis is not merely that his concerns found their way into the press, but that once made known they tended to mislead the public, who would mistake the part for the whole, and would be led to distrust all minority medical students and physicians because of statements—either true or false in substance—which apply only to some. It is certainly true that the public is uneasy about possible minority incompetence; and it is also true that the competent—such as my own current group of minority students—are thereby unfairly burdened. But the distrust felt by the public is due not to the breaking of the silence, but to the silence itself. The unvarying diet of sanctimony and false reassurances purveyed by our educational leaders has in the end produced an almost complete cynicism, not only in the university, but in the public at large. Those youngsters applauding Gerald Ford have parents and friends and neighbors living in the real world, and the word gets out that the official pieties are not to be believed. What *is* believed is hard to say: it seems to be the usual mixture of truths and exaggerations and some falsehoods; but on balance—and it grieves me to say so—the uninformed gossip of the public is far closer to the truth than all the press releases issued by all the law- and medical-school deans in all America.

II

I SPOKE earlier about the illusions and falsehoods which have gathered around the topic of affirmative action. The vast outpouring of writing prompted by the Bakke hearing has made these more evident than before, in that the arguments offered for reverse discrimination have involved the reiteration of certain ideas about the quota systems—how they work, whom they work for, and what their long-range effects have been. We find that in particular three central statements recur: (1) that whatever one may feel about the moral worth of these programs, they enjoy the merit of success; (2) that those being helped are the disadvantaged; and (3) that those favored are fully qualified for the programs they enter and fall short only in modest and easily remedied ways. I want to take up these assumptions and show that each of them is open to serious question, that the realities are far more complex.

1. *Are quotas successful?* In the course of arguing with any proponent of racial preference systems, one is likely to find, sooner or later, that the trump card offered is the argument from results. Triumphantly: "Whether you like it or not, the fact is that it *works*!" Or beseechingly: "I don't see what else we can do—it's the *only* thing that will work." Here is Father Hesburgh of Notre Dame, in a letter commending an article by McGeorge Bundy, telling us that the "embryonic effort of a decade has multiplied by a factor of ten or more the number of minority students now preparing nationwide to be doctors or lawyers." That is an inflated figure, as such figures often are, but let it stand. Let us accept that there has been a substantial rise in the number of minority students enrolled—from 2 to 3 per cent before affirmative action to about 9 per cent today.

That is indeed an impressive increase, if we can bring ourselves to believe it—that is, to believe not merely the numbers but also what they are meant to imply: that the increase in those preparing will translate into an equivalent increase in those being graduated; that those graduated are fully competent; that the rise is due to quotas themselves; and that nothing else will work.

Note first that these figures almost always tell us the proportions admitted or enrolled, and rarely the percentages who are graduated. We know how many are in the pipeline, but not how many emerge, and it is no longer quite the secret it once was that there is often a considerable gap between those numbers. To take an example close to home: my own training program in clinical psychology adopted in the early years an ambitious one-third minority quota, and in order to meet it admitted students recklessly. The attrition rate has been extremely high: of those admitted in those early years, at most one in five will achieve the doctorate (compared with two-thirds of those admitted regularly). We brandish one statistic, the large percentage of minority students admitted and enrolled, and conceal, even from ourselves, the fairly complete failure to carry students through the doctorate. Nor do we comment on the

*There is an excellent account of the Davis incident, by J.W. Foster, in the *New Republic*, July 17, 1976.

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cruel loss of time and self-esteem suffered by the students involved; all of them would have succeeded elsewhere, but were misplaced in our program, drawn there only to satisfy political demands and our own moral vanity. Somewhat similar patterns have been reported for many law schools where, at least in the past, the proportion of minority students graduating is substantially lower than those enrolling, and the percentage of those who pass the state bar exams is lower still, at times shockingly low.

Yet I would not want to lean heavily on these or other examples. To do so is only to add to the general mindlessness, wherein statistics when available are torn out of context, or otherwise used to dissemble and deceive. In particular one must take skeptically the news that things are going swimmingly at Harvard Law and Stanford Medical and MIT Economics and the like. Elite schools and programs, once they put their minds to it, can command the best of everything, and their successes in minority training tell us nothing at all about what is happening elsewhere. This country's educational institutions are so diverse, and so variously organized, that it is nearly impossible to discern what any given set of figures actually means. I know of two nearby law schools: one is elite, admits selectively, and fails hardly anyone. Another is non-elite, admits more generously, yet fails a large percentage. There is no easy way one can compare their statistics of "success" or aggregate them; nor do national statistics tell us much unless we have some sense of what levels of competence those figures represent. The only thing we can say with confidence is that the statistics of "success" bandied about are inflated to an unknown degree.

What is even more troubling than the inflation is the tacit assumption that all improvements in minority enrollment are due only to the quota programs. We have here the characteristic mindset of the New Class of foundation executives, university presidents, bureaucrats, and publicists who simply cannot bring themselves to understand that good things can happen without the benefit of their intervention. One would never suspect, in reading the reams of anti-Bakke writing, that minorities—and especially blacks—have during the last generation accomplished, partly through the vagaries of history and partly through their own exertions, an amazing series of transformations: from agrarian to urban, from poverty to the beginnings of economic stability, from dispossession to modernity. One would never imagine that these profound demographic changes may account for the largest part of the increased representation of minority students in higher education. None of this is evident in Father Hesburgh's letter, which asserts that "for only ten years now have we provided a modicum of equal educational opportunity . . ." etc., etc. That is *de haut en bas*, the voice of the good Father tending a mute and faithful flock, or of the foundation chief dispensing largesse to those he deems worthy. It simply does not correspond to the realities of an energetic and clamorous democratic culture, in which *we* do not provide for *them*, but in which all of us strive, compete, negotiate, accommodate, succeed, fail, rise and fall and rise again.

2. *Do quotas help the disadvantaged?* One afternoon several years ago, while serving on our admissions committee, I came across the applications of two young women. One was an ambassador's daughter who had been educated in private secondary schools, and was attending a most prestigious Ivy League university. The other might have stepped out of a Harriet Arnow novel. She had been born in Appalachia, the daughter of a poor farmer. The farm failed, the family moved north, her father died, the family survived on welfare and odd jobs, she married young, bore a child, was divorced, began attending a municipal university and ultimately was graduated with an excellent record. With respect to objective measurements—test scores and the like—these two young women were more or less evenly matched. It was the ambassador's daughter who, being black, was offered an invitation (which she did not ultimately accept, having a surfeit to choose from); the welfare child, being white, was not admitted, did not come close.

This anecdote has been chosen to illustrate as succinctly as possible the moral problems inherent in any system which provides privileges by race alone, and which will not recognize other bases of disadvantage. Either one must argue that race is the only stigmatizing American condition, an argument sometimes made but not commonly accepted; or else one must assume that race and class are essentially identical, which is simply not the case. And it is least likely to be the case at the higher reaches of higher education, given the strong association between social class and scholastic competence, an association which seems to be universal. This past year our admissions committee decided to give some attention to the socioeconomic status of all plausible candidates. What we found was startling: of the five minority "finalists," three were attending elite private colleges, and two were at selective state universities. Only one had received scholarship help. Three of the five came from affluent—not merely comfortable—families, and one of these gave every evidence of being rich. The committee member who interviewed most of them reported back to our faculty, somewhat ruefully, that their average family income was considerably higher than that enjoyed by the faculty itself.

The luck of the draw that year may have given us an unusually well-to-do group—I suspect it did—but the fact remains that during the last few years

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almost all of the minority students in our program have appeared to be of middle-class background, to judge by dress, speech, and quality of sensibility. They are talented and likable and interesting; they are well-schooled; they will succeed in getting their degrees. But it is pointless to pretend that they are disadvantaged, or that their presence introduces any diversity to our program except in the most superficial fashion. Nor does one find them all that interested, as a group, in specifically minority problems (nor do I think they ought to be), especially after they have been admitted to graduate training, and can relax and discover what really interests them.

The interaction between class and race is an issue which has yet to be addressed seriously by most commentators on affirmative action, not to mention its bureaucrats. Any intelligent analysis of the issue will have to begin by recognizing the aforementioned relationship between being middle class and being competent scholastically. Hence a policy of preferential admissions which favors the disadvantaged—of any race or ethnic group—will involve a high rate of failure; conversely, any attempt to choose minority students likely to succeed means a preference for the middle class among them. What has happened, I think, is that the strong departments and schools—such as my own—having viewed the wreckage of their earlier efforts to favor the economically deprived, have now decided to recruit those more likely to succeed, which in practice means middle-class minority students. Hence a program which began as an effort to remedy disadvantage has become increasingly a program which most helps those minority youngers who least need help.

3. *Are the students qualified?* I have kept for last the most difficult question of all, the meaning and use of the term "qualified." The question is so difficult emotionally that only a genuinely self-confident minority scholar, like Thomas Sowell, can deal with it in a straightforward way. It is also difficult conceptually, since the term is intrinsically a matter of context—when we use the word we ordinarily specify when and how and for what purposes and compared to whom. Given these sources of ambiguity, it makes one uneasy to observe the shrillness with which the idea is advanced that minority students chosen for professional training are "entirely qualified." A few nights ago I watched a television debate on the Bakke case in which an old warhorse of the old liberalism insisted that the minority students chosen ahead of Bakke were *qualified*—he stressed the word, almost shouted it. What made him think so, he was asked. Well, the doctors who chose them thought so, otherwise they would not have been chosen. And having uttered that tautology, he broke into a smile of seraphic self-satisfaction.

WHAT lies behind all this blustering, all this shrillness, is an intention to rewrite the common understanding of what it means to possess adequate academic qualifications. A subsidiary intention is to depict academics as rigid, hard-hearted pedants who for the sake of a few measly points on this or that meaningless test refuse to offer a helping hand to deserving minority students. Yet the differences are not trivial. Were they trivial there would be no issue, since it is hard to imagine many teachers or students becoming indignant or concerned about the difference between an A— or a B+ level of achievement, or between a Graduate Record Examination score of 650 as against 600. The differences we worry about are large and at times enormous, so much so as to raise issues which go beyond the issue of fairness to the larger question of whether the public is being responsibly served. It is rather ironic to note that the more sophisticated moral arguments in favor of reverse discrimination have emphasized "the common good," yet it is precisely that common good which a feckless reliance upon quotas is liable to injure.

One of the unexpected byproducts of the Bakke case is that it liberated data on medical-school admissions held closely or concealed. These findings are especially important in that they refer to the medical school Bakke sued—the University of California at Davis, a run-of-the-mill institution—rather than to Harvard or Johns Hopkins and the like, which can choose from among the very best minority applicants. The findings from the Davis medical school may in that sense be more representative, and what they tell us is simply distressing. Students admitted under a quota to the school had an undergraduate grade-point average in the B— to C range. You will not grasp what these figures say without being aware of the current level of grade inflation at American universities. For example, the typical student at my university graduates with a B+ average, and a good (though not brilliant) one will graduate with an A—. The minority students admitted to the Davis medical school were at the very bottom of the grade distribution; in an era of honest grading, most of them would have been at the D level or below. A friend of mine, deeply sympathetic to affirmative action, looked over the table of grades and test scores I provided for him, groaned, and said, "My Lord. If that's who they let in, whom do they keep out?"

These are painful matters to read and to write about, yet anyone confronting the Davis medical statistics for the first time, as I myself did a few weeks ago, and can construe from his own experience what they mean, will likely find himself overcome with dismay. It is deplorable that these data have received almost no attention in the press; that the university presidents and deans who have access to this information keep silent; that students

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so marginal are encouraged to enter medical training; and that as a consequence the able minority student inevitably comes under suspicion.

When quota programs in higher education first went into effect, thoughtful critics warned that the logic of the situation would ultimately compel an extension of quota-mindedness into all other areas of public life, and not merely by infection and example. They reasoned that marginal students, once recruited and enrolled, would tend to be passed through educational programs—at least in many cases—and then be unable to compete equally in an open market for talent. Hence new systems of preferment would be established and sustained. That is just what has happened. The emerging solution, which we see in faculty hiring and elsewhere, is to set aside, tacitly, certain positions as "minority" slots. Thus we reach the final and most wretched duality of all—a two-tier system of categories, involving on the one hand "real jobs" for which serious candidates compete seriously, and on the other, "minority jobs" which are set aside as a sop either to conscience or, more often these days, to the demands of the government bureaucracies. The corrupt means chosen to achieve the virtuous aim of integration ends in imposing, for the first time, segregated statuses within the university.

At this writing, the ultimate fate of racial preference systems remains unclear, pending the Court's decision on Bakke. Most lawyers I speak to believe the Court will rule as narrowly as possible, and if it does we can expect the struggle to continue, even to intensify, and to be fought via legislation and popular initiative. On the other hand, the Court may hold for Bakke on broad constitutional grounds, and the quota issue will fade away, to be remembered only as one of the many unpleasant episodes of the 70's. Yet even so we would be left with the most disturbing questions about how social policy is made in this country.

The rapid conversion of "affirmative action" to bureaucratically mandated quotas has taken place despite specific congressional intentions to the contrary, despite its overwhelming rejection in public-opinion polls, despite the solemn disavowals of President Carter both before and after his election, and despite a body of legal doctrine presumably removing race as an acceptable criterion for preferment. None of this has made the slightest difference. Congress is paralyzed. The President, characteristically, waffles and then yields. Some of our most prominent legal theorists promptly discover that, on second thought, a little racial discrimination is just what the country needs, as long as it is understood to be for our own good, and carried out by high-minded folk. Those folk turn out to be revenants from the Great Society—McGeorge Bundy, Joseph Califano, and the like—who seem bent on repeating all of the errors of that era, who are still unable to grasp that sheer energy and mere good will do not in themselves accomplish wise policy, and that authoritarian means, however well meant, will not achieve democratic ends. A thwarted and resentful public seems to understand this perfectly; it is only our leadership which cannot.

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Hiss, Oswald, the KGB, and Us

Michael Ledeen

ONE of the most durable and most damaging legacies of McCarthyism has been the besmirching of the good name of anti-Communism, and the attendant evisceration of American liberalism. From the McCarthy period on, anti-Communism has been labeled a reactionary ideology, and in its place there has come to be enshrined a crude anti-anti-Communism, according to which Communism does not now, and never did, pose any real threat to the United States. By the time of the Vietnam generation and Watergate, many had come to believe that Communist behavior, and in particular the behavior of the Soviet Union, could be explained primarily, if not entirely, in terms of the legitimate fears Communists had of the United States and *its* nefarious plans for world domination. In the field of strategic weapons, the fashionable position of the late 60's and 70's concluded that the entire arms race had been brought about by American initiatives, and that the Soviet Union, justifiably terrified by our nuclear arsenal, was merely struggling to keep pace. And even today, when the Russians have passed us in several vital areas, many liberal intellectuals still cannot bring themselves to face the possibility that the Soviet Union is determined to achieve strategic superiority and to use that superiority to increase its power over world affairs.

But myth-making over the arms race is only a side show; the real spectacle has been the discrediting of any concern over Communist espionage and subversion in the United States. Indeed, this concern has been turned inside out: the real threat—according to the fashionable mythology—was a conspiracy on the part of a vicious power structure using the myth of a Communist menace to justify its aggressive designs abroad and the squelching of opposition to those designs at home. Soviet espionage did not exist. Those convicted as KGB agents were usually (if not always) innocent victims of anti-Communist hysterics: in particular, the investigation and trials of Alger Hiss and Julius and Ethel Rosenberg were political dramas staged for the gullible. Finally, the real subversives, both at home and abroad, were "loyal" Americans: FBI and CIA men who overthrew foreign governments, violated the constitutional rights of American citizens, and, hand in hand with other leaders of the military-industrial complex, inaugurated and perpetuated the cold war.

This entire mentality has been superbly encapsulated in a recent event. According to a story featured on the front page of the New York *Times*, the Soviet intelligence apparatus has been carrying out a massive campaign of telephone interceptions in this country. Yet when a Democratic Senator publicly asked his colleagues why nothing was being done about this, he was challenged the next day by a leading network-news correspondent, who called to ask whether the evidence of Soviet espionage had not itself been acquired illegally. Was it not true that the National Security Agency had acted without a warrant in uncovering the Soviet operation, and should the evidence not therefore be destroyed? The Senator, in turn, wondered out loud whether his interlocutor really meant to propose that proof of Soviet violations of Americans' constitutional rights be shredded. The correspondent insisted on his point. Thus, while the campaign in the press and elsewhere to restrict American intelligence and counterintelligence activities goes on apace, suggestions that something be done about Soviet espionage in the United States meet with silence or outright denial.

POLITICAL culture is highly resistant to reality. Nevertheless, some recent straws in the wind suggest that a long overdue reconsideration of Communist espionage is at last under way. Two excellent new books may be placed in evidence: *Perjury: The Hiss-Chambers Case,* by Allen Weinstein,* and *Legend: The Secret World of Lee Harvey Oswald,* by Edward Jay Epstein.† Indeed, Weinstein's personal experience in writing *Perjury* perhaps stands as a paradigm for the shift in perception which may now be taking place. When, under the provisions of the Freedom of Information Act, Weinstein filed a series of requests to obtain documents from the FBI, he was

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* Knopf, 704 pp., $15.00.

† Reader's Digest Press/McGraw-Hill, 382 pp., $12.95.

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convinced that the information so gathered would permit him to trace the conspiracy that had framed Alger Hiss; but after several years of investigation, he reached the (to him) surprising conclusion that Hiss was guilty, and he was even able to identify many of the Soviet spy rings within which Hiss had worked.

In all its essentials, Whittaker Chambers's account of Soviet operations in this country, and of Alger Hiss's role in them, is confirmed beyond any reasonable doubt in Weinstein's book. Through the released documents, through scores of interviews with involved persons, including former Soviet agents still alive, and through a meticulous reconstruction of all the events in question, Weinstein shows how Hiss, and others like him, obtained classified information on a whole range of matters—from Japanese and German military plans to American industrial techniques and foreign policy—and passed them via well-organized channels back to Moscow.

As for Hiss's later activities, Chambers, who defected from the Communist apparatus in the spring of 1938, was unable to provide information on them, but Weinstein speculates that Hiss may have remained a Soviet agent long after that date. Hiss continued his close friendship with Henry Collins, who was a Russian spy throughout the mid-40's; he was the object of a striking verbal bouquet from Andrei Gromyko in the autumn of 1945, when Gromyko proposed to the American Secretary of State that Hiss be made acting Secretary General of the new United Nations Organization; and in the same year he requested confidential documents dealing with subjects—the internal security of France, China, Great Britain, and the Soviet Union—which at a minimum suggested that he held an exalted opinion of his responsibilities atop the State Department's Office of Special Political Affairs (OSPA). Moreover, in September 1946 Hiss met with Donald Maclean, who was later to defect from England to the Soviet Union just when he was about to be exposed as a Soviet agent, at a time when Hiss had, in Weinstein's words, "developed a keen interest in atomic-energy matters that went well beyond the responsibilities in the area of atomic diplomacy at the UN to which his duties at OSPA confined him."

The critical discussion of *Perjury* undoubtedly will center on the question of the guilt of its living protagonist, since no case, not even the irrefutable one made by Weinstein, will ever persuade the die-hard partisans of Alger Hiss.* But the enduring value of the book does not lie so much in the proof it gives of Hiss's guilt as in its extensive documentation of Soviet espionage in this country and of American reactions to it. Reading through the seven hundred calmly and elegantly reasoned pages of *Perjury*, one finds oneself amazed at the ease and effectiveness with which Soviet agents have been able to penetrate the American government and industrial operations. And on the other side one finds oneself in the company not of relentless anti-Communist conspirators of the kind who have emerged in the polemics which followed McCarthy's brief inquisition, but rather a group of insecure, timorous, and bumbling American government officials, highly reluctant to "go public" with the information they had, and totally opposed to the launching of a great anti-Communist crusade. As Nadya Ulanovskaya, the wife of one of the organizers of a Russian network in New York in the early 30's (and a woman who subsequently served a prison-camp sentence in the Soviet Union before emigrating to Israel), told Weinstein: "If you wore a sign saying 'I am a spy,' you might still not get arrested in America when we were there." This reluctance to act against Soviet espionage was characteristic even of the notoriously anti-Communist J. Edgar Hoover and Allen Dulles, and even in instances where the information was abundant. The best-known such instance was the Hiss case.

By the autumn of 1945, the FBI had received information from three independent sources about Hiss's links to the Soviet intelligence network. One source was Chambers, who had given considerable information to Adolph A. Berle in September 1939, naming Alger and Donald Hiss, Noel Field, Harry Dexter White, and others as Soviet agents. Berle apparently told President Roosevelt about Chambers's story, but the President did not believe it, and Berle kept his notes on the Chambers conversation to himself until 1943, when the FBI requested them. Chambers was also interrogated by the Bureau in 1942, when he again spoke of Hiss's Communist connections (this time downplaying the espionage component), again with no significant effect.

There were a number of reasons why Chambers was not taken seriously in those years. He was hardly a model informer—at best he was an ex-

* One such partisan, Victor Navasky, writing in the *Nation* (April 8), attacks Weinstein for being in league with "cold-war intellectuals" and says that several of his sources now claim to have been misquoted. Yet Weinstein has tape recordings of his interviews with some of those cited by Navasky, independent testimony from witnesses present at other of the interviews, additional documentary evidence, and letters from several of the now-recanting sources—all confirming the accuracy of the quotations in *Perjury*. Interestingly, Herbert Mitgang of the New York *Times* did not see fit to mention this corroborating testimony in his April 5 story about Navasky's article, even though Weinstein had informed him of it in a telephone conversation.

But even being persuaded by Weinstein has failed to shake the belief of another partisan, Garry Wills, in "The Honor of Alger Hiss" (*New York Review of Books*, April 20, 1978). The very fact that Hiss was a Soviet agent, and that he remained a loyal enough Communist to lie about it, shows, in Wills's view, that he does indeed possess "the integrity people have always sensed in him."

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Communist, a possible homosexual, and a certain neurotic; at worst he was a compulsive liar. Hiss, on the other hand was a model bureaucrat with excellent connections and a wide array of protectors (ranging from Dean Acheson and Felix Frankfurter to John Foster Dulles). But more important, there was the sure knowledge that confirmation of the presence of Soviet agents in the United States would provoke a political crisis. We were then allied with the Soviet Union in the war against fascism, and even if one were to have believed Chambers's claim that Hiss had been a Soviet agent until 1938, it was clearly desirable in the midst of a world war to regard Hiss as a good citizen. If it were thought that the Soviet Union was continuing its espionage operations against the United States in the very midst of a great joint effort to save the world from Hitler, Mussolini, and Tojo, the entire public rationale of the alliance with Stalin would be jeopardized.

What is rather more difficult to explain is the reluctance of the American national-security forces *after* the war to accept the evidence of Hiss's connections. For by the end of 1945, the FBI had received striking confirmation of Chambers's accusations. Elizabeth Bentley, a former courier for Communist agents, identified Hiss as the person who had recruited another agent, Harold Glasser, for a group in the Communist underground. The French Premier, Edouard Daladier, reportedly told American Ambassador William Bullitt that French intelligence had learned that "two brothers named Hiss," working in the State Department, were "Soviet agents." And then there was the "clue" which had provoked the initial FBI investigation into Hiss's Communist ties, and which ironically came to it as the result of erroneous information. In October 1941, the Dies Committee had gotten a list of 1,124 purported "Communists, fellow travelers, and Communist sympathizers," and sent the names on to Attorney General Francis Biddle. Alger and Donald Hiss were both included as members of a radical group called the Washington Committee for Democratic Action. This turned out to be false: their wives had been members for a short time, but neither of the brothers had.

Despite all these leads, the FBI did not actively pursue the Hiss question. As Weinstein writes of the war period, in a statement that is true of the entire FBI operation up to and including the two eventual trials: "The Bureau's casual and haphazard follow-up on its 1942 interview with Chambers reflected its general inepititude in dealing with Soviet espionage. . . . It is extraordinary that the FBI deemed Chambers unworthy of a follow-up interview for the next three years, or that among those whom he had named, only J. Peters received even a cursory investigation by the New York field office."

The event which finally compelled J. Edgar Hoover to move seriously against Hiss occurred in Canada. In September 1945, a cipher clerk at the Soviet embassy in Ottawa defected with over one hundred documents. As he told the Royal Canadian Mounted Police, a colleague of his claimed that "we've got the assistant of [Secretary of State] Stettinius working for us." Since the defector, Igor Gouzenko, proved to be extraordinarily reliable—not a single claim of his has yet turned out to be false—Hoover and the State Department took steps to increase surveillance over Hiss's activities and to limit his access to classified material. The FBI went so far as to monitor Hiss's desk calendar. Yet no convincing evidence of espionage activity was uncovered.

One of the problems in the FBI investigation was that the man who actually had concrete evidence—Whittaker Chambers—was withholding it from the Bureau. "Chambers continued to insist," Weinstein tells us, "that Hiss's underground unit 'was not a spy ring.'" This last charge would not be made until the HUAC investigation two years later and the episode of the "pumpkin papers." Berle, however, did send his memorandum (suggestively entitled "Underground Espionage Agent") to the Bureau in 1943, but nothing seems to have been made of it until the HUAC hearings in 1948. Hence, even though the FBI had the memorandum with Chambers's charge that Hiss was a spy, had the Bentley testimony, had the Gouzenko revelation, and had Daladier's remark, Hiss was left virtually untouched. To be sure, he was eased out of the State Department in 1946, but he was not put through the kind of rigorous interrogation which might have been expected from the types who normally run national-security operations.

BOTH Chambers and Gouzenko were struck by their inability to get action on the basis of their testimony. Chambers had concluded by 1942 that the FBI and the State Department were hopeless and that there was little or no interest in investigating Communist infiltration. As he put it in a letter to Herbert Solow in 1942:

> There was a time when I was interested in cooperating with the Civil Service and the FBI in keeping CP's out of government. Then I began to suspect, from the type of Civil Service and FBI agents sent around, that those agencies were incapable of doing anything to keep CP's out. The CP's under investigation regularly turned up in strategic agencies. . . . So I have become increasingly reluctant to have anything to do with this filth.

It is tempting to dismiss as paranoia Chambers's thinly-veiled conviction that Communists had infiltrated high echelons of the American government. Defectors from the KGB and its precursors

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have inevitably feared the worst at all times. In this case, however, there is considerable evidence that the claim should be taken seriously.

Igor Gouzenko told an interviewer just this past November that his own information was never used properly, and he speculated about what this might mean: "From the criminal way in which follow-up investigations never took place, I would say agents are still in high places of influence involving the Canadian government and its departments." Gouzenko is convinced of this on two grounds: the repeated failure of the Canadian government to pursue eight of the nine spy rings he identified to Canadian authorities, and the discovery of Soviet agents in high positions in virtually every Western intelligence apparatus. Realizing that the most effective way to identify such agents was to get others to defect, Gouzenko had urged the Canadians to encourge the process by offering citizenship, money, and protection. But it was not done. "The trouble," according to Gouzenko, "was that the RCMP [Royal Canadian Mounted Police] Security and Intelligence branch placed a lot of trust and took a lot of advice from British intelligence—and that meant Kim Philby [who later defected to the Soviet Union]. No wonder nothing was done."

In Gouzenko's view, the Soviet purpose in placing agents like Philby in high levels of the British intelligence community was twofold. First came the goal of obtaining classified information and of finding out how British intelligence intended to penetrate the Soviet Union and to foil Soviet activities in Great Britian. But an additional objective emerges from Gouzenko's discussion: agents like Philby were able to undermine Western efforts at counterintelligence by providing "disinformation," inaccurate or misleading reports on the activities of the other side. There is no lack of examples of known Soviet agents throughout the West in recent years who may have played such a role: Gunter Guillaume, personal aide to West German Chancellor Willy Brandt, arrested in 1974; Dagmar Kahlig-Scheffler, a secretary in West German Chancellor Helmut Schmidt's office; General Jean-Louis Jeanmaire of Switzerland, considered a violent anti-Communist and a close friend of the United States, convicted last year for passing documents to the Russians; and of course Kim Philby, Guy Burgess, and Donald Maclean in England.

Thus far no known case has come to light of high-level infiltration of the *American* intelligence community. Speculation over such an alarming possibility has generally been confined to Washington gossip and an occasional work of fiction (as, for example, ex-CIA official Victor Marchetti's novel, *The Rope Dancer*). Yet it would be absurd to conclude from this that no infiltration has occurred. After all, the KGB has managed to penetrate virtually every other Western intelligence agency, and carries out a studied program of disinformation all over the world.

THE possibility that the American intelligence operation has been turned inside out by Soviet agents is raised in Edward Jay Epstein's brilliant book about Lee Harvey Oswald and his links to the Soviet espionage apparatus. This book marks a new departure not only in works about the Kennedy assassination (which is actually peripheral to its main thrust) but also in the literature on intelligence activities in the Soviet Union and the United States. Epstein's discussion of the Oswald case, which rests upon an impressive collection of new evidence, is frighteningly reminscent of the speculations of Gouzenko and Whittaker Chambers.

The historical paradigm for Epstein's reconstruction comes from the 20's when the Russians created a group known as the "Trust." This was an ostensibly anti-Soviet underground organization which operated within the Soviet Union and provided "information" on Russian activities to Western intelligence organizations. It was designed systematically to misinform the West about Soviet intentions and capabilities. In Epstein's words:

> The Soviet idea of creating its own "enemy" is similar to that of creating biological analogues for insect control. The insects, unable to differentiate between the man-made simulacrum and the real larvae, attempt to breed with the artifice, which is of course sterile. In this case Soviet intelligence arranged a series of initial successes for the anti-Soviet underground to prove the efficacy of the "Trust" inside Russia. Once the "Trust" was established as the mainstay of the Soviet resistance movement, the Soviet agents operating it spoon-fed to Western intelligence agencies information supposedly obtained from defectors in place at the highest levels of the Soviet government. The fabricated reports from the "Trust" were then confirmed by other fake anti-Soviet groups set up by Soviet intelligence.

Other examples of Soviet disinformation activities include the case of Heinz Felfer, who, Epstein tells us, rose to the head of West German counterintelligence "through an intricate series of maneuvers in which [the Russians] sacrificed their own agents like pawns in a chess game." Once established, a network of such agents could both inform the Soviet Union about the Western activities and disinform the West about the Soviets. Ideally they would be placed in the highest positions in Western defense, intelligence, and executive agencies, and they would perform their most important tasks at critical historical moments. One such moment, according to Epstein, was the assassination of John F. Kennedy.

The central figure in *Legend* is one Yuri Ivanovich Nosenko, a Russian who defected to the CIA in Geneva in early February 1964, claiming to

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have been in charge of the KGB file on Lee Harvey Oswald, and, what is more important, claiming to know that Oswald had *not* been a KGB agent. At the very moment Nosenko arrived, many Americans—including President Lyndon B. Johnson—believed that a third world war was imminent, and many of them thought so because of the abundant evidence already available that Oswald had been connected with the KGB. Nosenko's arrival was therefore viewed as highly providential. Perhaps the happiest person to hear about it was J. Edgar Hoover, whose Bureau had been highly negligent in permitting Oswald to go without effective surveillance after his return to the United States from the Soviet Union. If Oswald turned out to have been a Soviet agent, Hoover would be in very bad trouble; if Oswald were a "lone nut," Hoover could breathe more easily.

Unfortunately, Nosenko's arrival raised more questions than it answered. Nosenko did not possess the information a man of his purported rank and experience should have had. Although he said he had been a central figure in KGB efforts to bug the American embassy in Moscow, he did not know the building's floor plan. He was wrong on crucial details involving KGB and CIA agents in Moscow whom he should have known. He lied about his rank, and lied about receiving a recall telegram from Moscow while in Geneva. He did very badly on a polygraph test. Most curious of all, his account of the KGB's handling of Oswald—a former Marine who had served on a U-2 base in Japan before defecting to the Soviet Union—simply did not jibe with known KGB procedures. Under interrogation, Nosenko admitted his errors, and on one occasion appeared to be breaking down.

Yet in the course of the next ten years, Nosenko was rehabilitated by the CIA, over the violent protests of many who had worked on the case and who believed that he was a disinformation agent. Nosenko's version of the Oswald story was accredited, and Nosenko himself was awarded a healthy salary, provided with a house, and given work as a consultant to the CIA. Moreover, those who had disputed Nosenko's bona fides as a defector were abruptly purged from the CIA by means of a leak to the New York *Times* of the agency's illegal mail interceptions, and they were replaced by a pro-Nosenko group.

How could all this have happened? According to Epstein, one central fact and one theory lie at the heart of the Nosenko case. The fact is highly suggestive: several crucial bits of wrong information from Nosenko were confirmed by "Fedora," a member of the Soviet Union's delegation to the United Nations who was passing information to the FBI. Hoover was very proud of "Fedora," and in order to keep him in place in New York had provided him with much classified material. If Nosenko were a liar, and if "Fedora" supported his lies, the most likely explanation was that "Fedora" was in cahoots with Nosenko to disinform the Americans, and this would place under threat of suspicion Hoover's own status and credibility and the status and credibility of a good deal of the American counterintelligence operation as well. Hence, Hoover had an additional reason for wanting to believe that Nosenko was telling the truth. Thus far the fact.

As to the theory, it goes back to the basic question about the penetration of United States intelligence agencies by the Soviet Union. It appeared to many CIA people, including both the head of the division on the Soviet Union and the chief of counterintelligence, James J. Angleton, that "Fedora" and Nosenko *were* working together on a campaign of disinformation. But for this theory to make sense there had to be an intermediary, because some of the elements of Nosenko's story that were confirmed by "Fedora" only emerged from Nosenko after months of elaborate questioning. How could "Fedora" have known about them if not by way of an informant of his own? That intermediary (or "mole"), moreover, had to be at the highest levels of the intelligence community. Thus, according to this theory, the entire Nosenko episode illustrates the presence of a systematic campaign of Soviet disinformation, made possible in turn by the successful penetration of the American intelligence community by agents of the KGB.

That very charge was made, and directly, by another Soviet defector in the early 60's, Major Anatoli M. Golitsin. Golitsin claimed that the KGB had planted an agent at the very top of the American intelligence community, and that this agent was helped from time to time by "other Soviet-controlled agents masking themselves as defectors or double agents—who would supply pieces of disinformation designed to bolster an 'inside' man's credibility. The 'inside' agent, in turn, would be in a position to help confirm the authenticity of the 'outside' agents." Clearly, Nosenko fits the description of the "outside" agent to perfection. If one accepts this theory, the only remaining question is, who is the "mole" high up in the American intelligence community?

EPSTEIN's book is about much more than Nosenko. It should be read for its great wealth of information about Oswald's life, which turns out to be quite different from the life portrayed by the Warren Commission. Epstein believes, for instance, that Oswald may have played a crucial role in the Soviet interception and capture of Francis Gary Powers, by providing the Russians with information about radar jamming devices on board the U-2 surveillance aircraft. And Epstein details Oswald's ongoing connection with Soviet intelligence agents right up until the assassination of Kennedy. But he does not believe that the assassination was ordered by

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the KGB, or that Oswald was acting on behalf of a foreign intelligence organization when he shot the President—even though Oswald had spoken with Valery Kostikov, a Soviet embassy officer in Mexico City known to be a KGB agent who handled other agents in the United States, and who was thought to be in the department of the KGB which carried out violent acts of sabotage.

The questions Epstein raises are crucial, his ground for raising them are sound, and the general implications of his book are immensely important. Nevertheless, one can differ with his interpretation of individual events. Thus his version of the connection between Oswald and the U-2 affair seems dubious. On the one hand, it does appear likely that Oswald was involved in *some* way, for it is difficult otherwise to explain his physical presence at Powers's trial in Moscow; he was living at the time in Minsk and travel within the Soviet Union is not so simple. On the other hand, the Russians already knew almost everything there was to know about the aircraft, as the plans for the U-2 had been in another American spy plane shot down over the Soviet Union a year earlier and recovered virtually intact. The CIA, which tracked the plane on its fateful flight, came to the conclusion that the U-2 was not at its peak altitude when it was hit by Soviet missiles, but that Powers, for reasons not fully clear (either through some error of his own or perhaps sabotage in the fuel system), had flown the craft at a lower altitude. At a hearing following Powers's repatriation, many experts remained convinced that the U-2 had been captured as a result of mistakes on the pilot's part. The issue was not pressed because to have done so would have involved considerable bureaucratic complications, and if the effort were successful, Powers would have ended up being deprived of some $60,000 in back pay.

Nor is the theory that Nosenko was a disinformation agent entirely convincing. Nosenko's father had been an alternate member of the Central Committee, had served for a time as Minister of Shipping, and had had an important shipyard named after him. Nosenko's son, following the defection, was excluded from positions that would have been automatically available to a member of such a family, and Nosenko's entire family became the object of discrimination. Now, assuming that Nosenko was a disinformation agent, one would have expected the KGB to do all this as part of his "legend." But why choose such a distinguished person? Why bring dishonor on such a family? Again, following Nosenko's defection there was a purge among his KGB associates. Were so many people to be sacrificed merely to convince the Americans that Oswald had acted alone?

If one counters these questions by postulating Machiavellian cunning on the part of the KGB, then one has to explain the almost transparent amateurishness with which Nosenko's "legend" was constructed. American intelligence officials had little difficulty poking holes in his story. Despite his later rehabilitation by the CIA—which may have been aimed at encouraging others to defect—Nosenko was not a convincing witness. If the KGB is to be credited with great cunning, should it not have been able to "program" an agent better than this?

But whether or not one accepts his own interpretation of the facts, the issue which Epstein raises remains. Whether Nosenko was genuine or a double agent, it was his view of Oswald—the "lone-nut" view—which prevailed, despite the wealth of evidence linking Oswald to the KGB. And despite the evidence pointing to the presence of Soviet agents in this country, there seems little inclination to take the problem seriously, let alone to deal with it effectively.

THESE two excellent books, based on considerable research into previously classified material, both demonstrate an appalling lack of American expertise in counterintelligence. It took the FBI years to accept the testimony on Hiss, and the crucial evidence finally arrived not through American counterintelligence (which, as Weinstein shows in painful detail, rarely if ever came up with such evidence during the hearings and the trials of Alger Hiss), but from the usual source: a Soviet defector. In the Oswald case, the record is even worse, for here the intelligence community not only ignored the presence of a likely Soviet agent, and failed to place him under surveillance, but actually suppressed documentation at several stages of the investigation in order to deflect attention from the Soviet (and, at a later date, the Cuban) connections of the President's assassination.

Despite the vaunted anti-Communism of the American intelligence community, then, in two of the most important cases of the century, national-security experts showed a marked unwillingness to accept evidence of Soviet espionage. One can well sympathize with them, for in each instance the implications of acceptance were enormous. In the Hiss case, it would have meant rethinking the logic of a wartime alliance and then coming to grips with an ominous postwar reality. In the Oswald case, it would have meant facing the possibility that the Soviet Union (or the Cubans) had ordered one of its agents to kill the President.

Straddling the cold war as they do, the two cases nicely sum up the legacy of that period. It now appears that the unwillingness of many to accept the evidence about Hiss (and about others like him) made McCarthyism possible. Had the FBI done its job in the 40's, and had the government been willing to admit that it had been infiltrated, demagogues like the late Senator from Wisconsin would have been undercut. As it was, McCarthy and his allies were able to paint a picture of Communist

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subversion which was made credible by earlier attempts at coverup and wishful thinking. And after the country had cooled down, a new mythology gained the upper hand: everything McCarthy stood for was insane. People who still maintained a belief in the reality of Soviet espionage were branded as paranoids, and it once again became impossible to conduct the necessary business of counterintelligence in a rational manner.

The McCarthyism of the 50's has its mirror image today in the war against the CIA and the FBI. Any news story, no matter how tenuously documented, which suggests that our own intelligence apparatus might be treading on American rights, real or imagined, receives banner headlines. Thus—to cite one example of many—a recent front-page story in the New York *Times* announced with great fanfare that the CIA had infiltrated the Black Panthers in the late 60's, as though there were something self-evidently wrong with surveillance of a group preaching (and practicing) revolutionary violence, and one of whose leaders, Eldridge Cleaver, was living in Cuba and Algeria during the period in question. Such reporting is entirely symptomatic: if our political culture is paranoid about anything these days, it is about the actions of the CIA and the FBI, not about the actions of the KGB or any other Communist espionage agency.

Yet evidence abounds that Communist espionage continues on this continent. In recent months, thirteen Soviet agents have been expelled from Canada following one of the brashest attempts on record to recruit a member of the Royal Canadian Mounted Police. A Vietnamese spying operation has been uncovered at the United Nations. A man about to be hired by the House International Relations Committee fled the country when his East German connection was discovered. A Soviet diplomat was quietly expelled from Washington when he was found to be "working" Capitol Hill. None of this is "news" in the same way as CIA transgressions are news, and it arouses little public concern. As the Congress now drafts new legislation dealing with intelligence and counterintelligence, the emphasis is on controlling our own agencies, not on protecting us from those of our major adversaries.

IN THEIR new books, Allen Weinstein and Edward Jay Epstein have raised the question of Soviet espionage in a dispassionate and scholarly way. This is most encouraging, for it shows that the issue of Communism and the related question of Soviet espionage can be discussed rationally, apart from their legacy of emotional and ideological prejudice; and if they can be discussed rationally, then perhaps they will also be faced realistically. A few years ago, for example, a book like David Caute's recently published *The Great Fear* (subtitled "The Anti-Communist Purge under Truman and Eisenhower") would have been received with uncritical acclaim for its lurid portrait of the American response to the threat of Communist subversion and espionage in the early years of the cold war. Today, however, it is reviewed critically on the front page of the New York *Times Book Review* by Arthur Schlesinger, Jr., who while acknowledging the abuses and violations of that period, also insists that espionage was a problem and says that it remains "a very real question" whether or not "Burgess, Maclean, and Philby might have been a lesser price to pay than McCarthy, John Foster Dulles, the FBI, and the CIA." It is of course too soon to tell, but if all this suggests the glimmerings of a new attitude, then we may at long last be emerging from the shadow of Joseph McCarthy.

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Why Auschwitz Was Never Bombed

David S. Wyman

A RECURRING question since World War II has been why the United States rejected requests to bomb the gas chambers and crematoria at Auschwitz, or the railroads leading to Auschwitz.

Such requests began to be numerous in the spring of 1944. At that time, three circumstances combined to make bombing the Auschwitz death machinery and the railways leading to it from Hungary critically important and militarily possible. In mid-April, the Nazis began concentrating the 760,000 Jews of Hungary for deportation to the killing center at Auschwitz. Late in April, two escapees from Auschwitz revealed the full details of the mass murder taking place there, thus making completely clear the fate awaiting the Hungarian Jews. And by May, the U.S. Fifteenth Air Force, which had been operating from southern Italy since December 1943, reached full authorized

It holds 2,000 people. . . . When everybody is inside, the heavy doors are closed. Then there is a short pause, presumably to allow the room temperature to rise to a certain level, after which SS men with gas masks climb on the roof, open the traps, and shake down a preparation in powder form out of tin cans, . . . a "cyanide" mixture of some sort which turns into gas at a certain temperature. After three minutes everyone in the chamber is dead. . . . The chamber is then opened, aired, and the "special squad" [of slave laborers] carts the bodies on flat trucks to the furnace rooms where the burning takes place.

A copy of the Vrba-Wetzler statement, dispatched to the Hungarian Jewish leadership, arrived in Budapest by early May. By mid-June, the Slovak underground had smuggled the report to Switzerland, where it was passed to the American legation and found to be consistent with earlier trustworthy but fragmentary information that had

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United States through diplomatic lines. Three days later, a similar but more urgent telegram arrived from Bratislava. That appeal also went to the U.S. military attaché for delivery to New York. The pleas kept coming every two or three days for the next month, and Sternbuch continued to relay them to the military attaché. Yet by June 22, Sternbuch had received neither reply nor acknowledgment from New York. For unknown reasons, the messages had been blocked, either in Bern or in Washington.

In Jerusalem, Jewish leaders had received appeals similar to those that had reached Sternbuch. On June 2, Yitzchak Gruenbaum, chairman of the Jewish Agency's rescue committee, arranged for the American consul general in Jerusalem to telegraph a message to the War Refugee Board in Washington. Gruenbaum's request for bombing the deportation railroads reached the War Refugee Board, but nothing came of it.

Meanwhile, during the third week of May, Rabbi Michael Weissmandel and Mrs. Gisi Fleischmann, both leaders of the Slovak Jewish underground, wrote a long letter pleading with the outside world for help. They described the first deportations from Hungary and stressed the fate awaiting the deportees on arrival at Auschwitz. Their stark account revealed that four forty-five-car trains were leaving daily, each train carrying about 3,000 people. During the two-to-three-day trip to Auschwitz, the victims were pressed together, standing, in closed freight cars without food, water, or sanitary facilities. Many died on the way. After describing the plight of these Hungarian Jews, Rabbi Weissmandel and Mrs. Fleischmann appealed strenuously for immediate bombing of the main deportation routes, especially the Kosice-Presov railway. They also cried to the outside world to "bombard the death halls in Auschwitz." Writing in anguish, the two asked: "And you, our brothers in all free countries; and you, governments of all free lands, where are you? What are you doing to hinder the carnage that is now going on?" Smuggled out of Slovakia, the plea, accompanied by copies of the Auschwitz escapees' reports, reached Switzerland, but not until late June.*

Some days earlier, about June 15, other copies of the escapees' reports had come via the Slovak underground to Jaromir Kopecky, the Czechoslovak minister in Geneva. He immediately showed them to Gerhart Riegner of the World Jewish Congress. Riegner summarized the reports for delivery to the American and British governments and the Czech exile government in London. To the summaries, Kopecky and Riegner added appeals for bombing the Auschwitz gas chambers and the rail lines from Hungary to Auschwitz.

By that time, though, one of the earlier pleas for railway bombing, probably sent by Sternbuch and possibly transmitted through Polish diplomatic auspices, had at last broken through to American Jewish circles. On June 18, Jacob Rosenheim of the New York office of the Agudath Israel World Organization addressed letters to high American government officials, informing them of the ongoing deportations. He submitted that paralysis of rail traffic from Hungry to Poland could at least slow the annihilation process, and implored them to take immediate action to bomb the rail junctions of Kosice and Presov.

ROSENHEIM'S appeals to Washington were first relayed to the War Refugee Board (WRB), an agency that President Roosevelt had established by executive order five months earlier, on January 22, 1944. The President had charged the board with carrying out

> all measures within its [the government's] power to rescue the victims of enemy oppression who are in imminent danger of death and otherwise to afford such victims all possible relief and assistance consistent with the successful prosecution of the war.

Although Roosevelt had named the Secretaries of State, Treasury, and War as equal members of the War Refugee Board, in actuality Henry Morgenthau's Treasury Department was the real force behind the agency. While technically a joint operation, the WRB was physically located in Treasury offices and had as its executive director John W. Pehle, a career Treasury official. Its other top staff members were also drawn from Treasury personnel, and the Board worked closely with Morgenthau himself throughout its existence. Nonetheless, the President's mandate had clearly specified that "it shall be the duty" of all three Cabinet departments, "within their respective spheres, to execute, at the request of the Board, the plans and programs" developed by the Board, and to supply such "assistance and facilities as the Board may require in carrying out the provisions of this Order."

On June 21, Pehle transmitted Rosenheim's request to the War Department, and on Saturday, June 24, he conferred about it with Assistant Secretary of War John J. McCloy. In the discussion, Pehle himself expressed doubts about the proposal to bomb the Kosice-Presov link, but he asked that the War Department explore the idea. McCloy agreed to look into it.

In fact, the War Department had started the matter through its channels the day before, and on Saturday afternoon, June 24, the bombing request arrived at the Operations Division (OPD), the arm of the War Department charged with strategic planning and direction of operations. On Monday, June 26, OPD ruled against the proposed bombing, stating that the suggestion was "impracticable" because "it could be executed

* Mrs. Fleischmann and Rabbi Weissmandel were deported to Auschwitz, at different times, during the fall of 1944. She was gassed there; he escaped from the train and survived the war.

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only by diversion of considerable air support essential to the success of our forces now engaged in decisive operations." Actually, the decision against bombing the railways was not based on any specific study of its feasibility in light of current Air Force operations in Europe. Rather, the negative decision rested on an internal War Department policy which had been arrived at in Washington nearly five months earlier.

In late January 1944, in one of its first steps, the War Refugee Board had requested the British government's help in carrying out its program of rescue. The British government, which throughout the war showed little inclination to rescue European Jews, was reluctant to cooperate because the presence of the Secretary of War on the Board implied that the armed forces would be used in rescuing refugees. The War Department, moving to reassure the British on this count, quietly set down the following policy:

> It is not contemplated that units of the armed forces will be employed for the purpose of rescuing victims of enemy oppression unless such rescues are the direct result of military operations conducted with the objective of defeating the armed forces of the enemy.

This policy effectively removed the War Department from participation in rescue efforts, except as they might arise incidental to regularly planned military operations.

Another of the War Refugee Board's earliest moves was to try to arrange for a degree of cooperation from United States military commanders in the war theaters. In late January 1944, the Board proposed through McCloy that the War Department send a message to war-theater commanders instructing them to do what was possible, consistent with the successful prosecution of the war, to assist the United States government's policy of rescue. Although such cooperation was specifically mandated by the executive order which established the War Refugee Board, the military leadership in Washington balked at dispatching the message. McCloy referred the proposal to the Office of the Chief of Staff after jotting on it: "I am very chary of getting the Army involved in this while the war is on." The War Department's decision crystallized in February in an internal memorandum which maintained that:

> We must constantly bear in mind . . . that the most effective relief which can be given victims of enemy persecution is to insure the speedy defeat of the Axis.

In concrete terms, this position meant that the military had decided to concentrate strictly on the war and avoid the diversion of resources into rescue or relief activities.

WHEN in late June 1944, therefore, the Operations Division dealt with Rosenheim's proposal to bomb rail points between Hungary and Auschwitz, it turned back to these two earlier pronouncements as the basis for its decision and stated that:

> The War Department is of the opinion that the suggested air operation is impracticable for the reason that it could be executed only by diversion of considerable air support essential to the success of our forces now engaged in decisive operations.
>
> The War Department fully appreciates the humanitarian importance of the suggested operation. However, after due consideration of the problem, it is considered that the most effective relief to victims of enemy persecution is the early defeat of the Axis, an undertaking to which we must devote every resource at our disposal.

Before McCloy could advise Pehle of the negative decision, another request reached the War Refugee Board in Washington. Roswell McClelland, the Board's representative in Switzerland, had sent a cablegram on June 24 which summarized much of the information that had come into Switzerland during the preceding weeks concerning the brutal deportations from Hungary. He reported that beyond any doubt some 335,000 Hungarian Jews from east of the Danube had already been deported and that the concentration of 350,000 more Jews had recently been completed in Budapest and its environs. McClelland listed the five main railroad deportation routes and pointed out that

> it is urged by all sources of this information in Slovakia and Hungary that vital sections of these lines, especially bridges along ONE [the Csap, Kosice, Presov route] be bombed as the only possible means of slowing down or stopping future deportations.

Pehle sent a copy of the cablegram to McCloy on June 29, with a note emphasizing the reference to bombing deportation railroads. Pehle and the Board were unaware of the fact that the War Department had already decided against Rosenheim's request to strike the Kosice and Presov junctions.

The chance for approval of a proposition to bomb five rail systems was minute; indeed, this latest suggestion received no separate consideration. Colonel Harrison A. Gerhardt, McCloy's executive assistant, forwarded McClelland's cablegram and Pehle's covering note to McCloy, accompanied by a draft of a response to Pehle. Gerhardt also included the following two-sentence memorandum:

> I know you told me to "kill" this but since those instructions, we have received the attached letter from Mr. Pehle.
>
> I suggest that the attached reply be sent.

The reply to Pehle simply adapted the Operations Division's language rejecting the earlier Rosenheim proposal to fit the new expanded bombing request. McCloy signed it on July 4.

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Calls for bombing the deportation rail lines continued to come to Washington throughout the summer of 1944. But starting early in July, the appeals for Air Force action to impede the mass murders increasingly centered on the destruction of the death factory at Auschwitz. At the very end of June, before any proposals for striking Auschwitz reached Washington, Benjamin Akzin of the WRB staff argued within the Board for bombing the killing facilities at Auschwitz. He held that destruction of those installations would, at least for a time, appreciably slow the slaughter, and he also pointed out that Auschwitz could be bombed in conjunction with an attack on Katowice, an important industrial center about seventeen miles from the death camp.

Shortly afterward, the London-based Czech government-in-exile forwarded to Washington the summary of the Vrba-Wetzler death-camp report that Riegner and Kopecky had sent out of Switzerland about two weeks before. The plea that Riegner and Kopecky had included for bombing the Auschwitz crematoria stimulated further discussion of that possibility at the War Refugee Board. By July 13, Pehle and the Board had decided to press the military authorities on the question of destroying the death camp. But a careful plan to do so apparently went awry, for no formal approach took place, though Pehle and McCloy did discuss the issue some time during the summer of 1944. That conversation must have dampened Pehle's interest in the project, because he informed Morgenthau in September that the Board had decided not to refer the proposal to the War Department.

Late in July, the Emergency Committee to Save the Jewish People of Europe wrote President Roosevelt calling for bombing the deportation railways and the gas chambers. The letter emphasized that the railroads were also used for military traffic, and that an attack on Auschwitz could open the way for inmates to escape and join the resistance forces. Thus both proposed actions would assist, not hamper, the war effort. Nothing at all came of this overture.

The next proposal issued from the World Jewish Congress in New York and went directly to the War Department. It drew the usual response. On August 9, 1944, A. Leon Kubowitzki wrote McCloy submitting for consideration a message recently received from Ernest Frischer, a member of the Czech government-in-exile. Frischer called for bombing the Auschwitz gas chambers and crematoria to halt the mass killings. Almost as an afterthought, he also proposed bombing the railways.

The reply, drawn up in McCloy's office and approved by Gerhardt, was dated August 14, 1944. It followed a by-now familiar pattern:

> Dear Mr. Kubowitzki:
>
> I refer to your letter of August 9 in which you request consideration of a proposal made by Mr. Ernest Frischer that certain installations and railroad centers be bombed.
>
> The War Department has been approached by the War Refugee Board, which raised the question of the practicability of this suggestion. After a study it became apparent that such an operation could be executed only by the diversion of considerable air support essential to the success of our forces now engaged in decisive operations elsewhere and would in any case be of such doubtful efficacy that it would not warrant the use of our resources. There has been considerable opinion to the effect that such an effort, even if practicable, might provoke even more vindictive action [!] by the Germans.
>
> The War Department fully appreciates the humanitarian motives which prompted the suggested operation, but for the reasons stated above, it has not been felt that it can or should be undertaken, at least at this time.
>
> Sincerely,
> John J. McCloy
> Assistant Secretary
> of War

At the beginning of September, pressure built once more on the War Refugee Board for bombing rail lines, this time the lines between Auschwitz and Budapest, where the last large enclave of Hungarian Jews was threatened with deportation. These entreaties came from the Orthodox rescue committee in New York. Rabbi Abraham Kalmanowitz, anxious for the appeal to reach the WRB as soon as possible, placed a night phone call to Benjamin Akzin, who relayed the plea to Pehle the next day. Akzin took advantage of the opportunity to spell out to Pehle, in polite terms, his dissatisfaction with the inaction of the War Department regarding the bombing requests. He maintained that the WRB had been "created precisely in order to overcome the inertia and—in some cases—the insufficient interest of the old-established agencies" concerning rescue of Jews. Akzin, pointing to the Allies' current air superiority, pressed for going directly to the President to seek orders for immediate bombing of the deportation rail lines. But the Board did not move on the appeal.

On the other crucial bombing issue, the question of air strikes on Auschwitz, the War Refugee Board did act, but with hesitation. Near the end of September, members of the Polish exile government and British Jewish groups came to James Mann, the WRB representative in London, with information that the Nazis were stepping up the pace of extermination in the camps in Poland. They urged the Board to explore again the possibility of bombing the killing chambers. Mann cabled their plea to Washington. Anguished messages then reaching the Board were also reporting Nazi threats to exterminate the thousands of prisoners in the camps in Poland as the Germans retreated before the Red Army. Influenced by these accounts, Pehle decided to raise the issue with McCloy once more, though not forcibly. On

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October 3, he transmitted to McCloy the substance of Mann's dispatch, "for such consideration as it may be worth."

McCloy's office thought it worth too little consideration to trouble the Operations Division with it, or even to write a reply to the War Refugee Board. Gerhardt, McCloy's executive assistant, recommended to his chief that "no action be taken on this, since the matter has been fully presented several times previously."

McCloy let Gerhardt's recommendation of "no action" stand and the matter was dropped. Meanwhile, Mann's dispatch had independently caught the attention of the Operations Division which discussed it briefly with the Air Force Operational Plans Division on October 4, and arranged for the Air Force to radio a message to England to Lieutenant General Carl Spaatz, commander in chief of all United States Strategic Air Forces (USSTAF) in Europe. This was the only time the War Department sent a rescue-oriented bombing proposal to operational forces in Europe for consideration. The telegram asked Spaatz to consult Mann's original dispatch and informed him that "this is entirely your affair." But the message pointedly advised that military necessity was the basic requirement. That admonition scarcely needed to be included, for Spaatz's staff was no more inclined to take on extraneous assignments, or to look carefully into the workability of the bombing proposal, than were the OPD or the Assistant Secretary of War's office. The next day, October 5, Spaatz's deputy commander, Major General Frederick L. Anderson, assigned his director of operations to attend to the matter. That same day, in a message to Spaatz summarizing the conclusion that emerged from the desks of the USSTAF in England, Anderson put an end to the proposal:

> I do not consider that the unfortunate Poles herded in these concentration camps would have their status improved by the destruction of the extermination chambers. There is also the possibility of some of the bombs landing on the prisoners as well, and in that event, the Germans would be provided with a fine alibi for any wholesale massacre that they might perpetrate. I therefore recommend that no encouragement be given to this project.

Although Spaatz's officers had read Mann's message reporting acceleration of extermination activities in the camps in Poland, they could perceive no advantage to the victims in smashing the killing machinery. Nor did they seem to understand, despite Mann's statement that "the Germans are increasing their extermination activities," that wholesale massacres had already been perpetrated without any need for an alibi. Yet if the officers had wished clarification, they could readily have telephoned Mann or members of the Polish government in nearby London.

The last attempt to convince the War Department to bomb Auschwitz came in November. The complete reports made by the Auschwitz escapees finally reached the War Refugee Board in Washington on November 1. Their story of horror jolted the Board. A shocked John Pehle wrote a strong letter on November 8 pressing McCloy to arrange for bombing the Auschwitz killing machinery. He also pointed out the military advantage that would result from simultaneously bombing the Auschwitz industrial area.

Pehle's appeal went from McCloy's office to the War Department's Operations Division which, true to form, turned it down on the grounds that it would divert air power from vital industrial targets. McCloy wrote to Pehle on November 18, relaying the objections put forth by OPD. The letter also explained that Auschwitz could be hit only by heavy bombers based in Britain, which "would necessitate a hazardous round trip flight unescorted of approximately 2,000 miles over enemy territory."

No further requests were made for bombing Auschwitz or the rail lines to it. Unknown to the outside world, SS Chief Heinrich Himmler in late November ordered the destruction of the killing machinery—a process that was completed in December. A month later, on January 27, 1945, the Russian army liberated the camp.

II

THUS the proposals to bomb Auschwitz and the rail lines leading from Hungary to Auschwitz were consistently turned down by the War Department. The chief military reason given for this refusal was that such proposals were "impracticable" because they would require the "diversion of considerable air support essential to the success of our forces now engaged in decisive operations." Was this reason valid? The answer is no.

From March 1944 on, the Allies controlled the skies of Europe. Official U.S. Air Force historians have stated that "by 1 April 1944 the GAF [German Air Force] was a defeated force." Allied air power had "wrecked Hitler's fighter [plane] force by the spring of 1944. After this . . . U.S. bombers were never deterred from bombing a target because of probable losses."

From early May 1944 on, the Fifteenth Air Force based in Italy had the range and capability to strike the relevant targets. Moreover, neither the Normandy invasion of June 6 nor the ensuing Allied drive across France drew on the resources of the Fifteenth Air Force. The August invasion of southern France only very briefly took a small amount of Fifteenth Air Force power. The Twelfth Air Force, a tactical arm also based in Italy, assumed most of that responsibility. The War Department's repeated concern about diversion of air power essential to decisive operations could not have referred to those invasions, at least not with regard to the Fifteenth Air Force. And,

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in fact, during the same late June days that the War Department was refusing the requests to bomb railways, a fleet of Fifteenth Air Force bombers was waiting for proper flying conditions to attack oil refineries near Auschwitz. This mission, which took place on July 7, saw 452 bombers travel along and across two of the five deportation railroads. On June 26, 71 Flying Fortresses on another bomb run passed by the other three railroads, crossing one and coming within thirty miles of the other two.

As for the area of Auschwitz, as early as January 1944, Allied bombing strategists were analyzing it as a potential target because of the synthetic oil and rubber installations not far from the camp. Two months later, the huge Blechhammer oil-refining complex, forty-seven miles from Auschwitz, came under careful study. Then, in late April, USSTAF headquarters in England wrote Lieutenant General Ira C. Eaker, commander of the Allied air forces in Italy, inquiring about the feasibility of a Fifteenth Air Force attack on Blechhammer. Eaker replied on May 8 that not only were strikes on Blechhammer possible, but that war industries at Auschwitz and Odertal "might also be attacked simultaneously."

By May 1944, the Fifteenth Air Force had indeed turned its primary attention to oil targets. Throughout the summer, as involvement with the invasion of France lessened, the British-based U.S. Eighth Air Force and the Royal Air Force increasingly joined the Fifteenth Air Force in fighting the "oil war." Most observers, then and now, agree that the high attention given to oil in 1944 and 1945 was one of the most decisive factors in Germany's defeat. Loss of oil gradually strangled the Third Reich's military operations.

In late June, the "oil war" was about to move into Upper Silesia, where Germany had created a major synthetic oil industry based on the vast Silesian coal resources. At least eight important oil targets were clustered there within a rough half-circle, thirty-five miles in radius, with Auschwitz near the northeast end of the arc and Blechhammer near the northwest. Blechhammer was the main target—fleets of from 102 to 357 heavy bombers hit it on ten occasions between July 7 and November 20—but it was not the only one. No fewer than six additional plants shook under the impact of tons of high explosives, including the industrial section of Auschwitz itself.

On Sunday, August 20, late in the morning, 127 Flying Fortresses, escorted by 100 Mustang fighters, dropped 1,336 500-pound high-explosive bombs on the factory areas of Auschwitz, *less than five miles* to the east of the gas chambers. Conditions that day were nearly ideal for accurate visual bombing. The weather was excellent. Anti-aircraft fire and the 19 German fighter planes there were ineffective. Only one American bomber went down; no Mustangs were hit. All five bomber groups reported success in striking the target area.

Again on September 13, a force of heavy bombers rained destruction on the factory areas of Auschwitz. The 96 Liberators which struck encountered no German aircraft, but ground fire was heavy and brought three of the bombers down. As before, no attempt was made to hit the killing installations which stood about five miles to the west.

On December 18 and also on December 26, American bombers again struck Auschwitz as an industrial target.

Beginning in early July, then, air strikes in the area were extensive. For example, two days after the first raid on Auschwitz, 261 Flying Fortresses and Liberators bombed the Blechhammer and Odertal oil refineries. Many of them passed within forty miles of Auschwitz soon after leaving their targets. On August 27, another 350 heavy bombers struck Blechhammer. Two days after that, 218 heavies hit Moravska-Ostrava and Oderberg (Bohumin), both within forty-five miles of Auschwitz. Not long before, on August 7, heavy bombers had carried out attacks on both sides of Auschwitz on the same day: 357 had bombed Blechhammer, and 55 had hit Trzebinia, only thirteen miles northeast of Auschwitz.

It would be no exaggeration, therefore, to characterize the area around Auschwitz, including Auschwitz itself, as a hotbed of United States bombing activity from August 7 to August 29. Yet on August 14 the War Department could write that bombing Auschwitz would be possible only by the diversion of airpower from "decisive operations elsewhere."

III

But a further question remains: Would the proposed bombing raids have been, as the War Department maintained, of "doubtful efficacy"?

In the case of the railroad lines, the answer is not clear-cut. Railroad bombing had its problems, and was the subject of long-lasting disputes within the Allied military. A main argument centered on the relative effectiveness of interdiction (bombing to cut rail lines and destroy bridges) and attrition (bombing to smash rail centers and marshaling yards, thereby hurting operations as well as repair facilities). With time, close observers concluded that successful blockage of enemy transport required both interdiction and attrition.

Attrition, however, would not have stopped the deportation of Jews. Bombing oil or munitions cars in marshaling yards was very effective, but blowing up trains containing deportees would have been absurd, and striking the deportation trains before loading would have required an impossibly detailed knowledge of German transportation orders.

Successful interdiction, on the other hand, would have necessitated close observation of the

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severed lines and frequent re-bombing, since repairs took only a few days. Even bridges, which were costly to hit, were often back in operation in three or four days. Nonetheless, bridge bombing was pressed throughout the war, including strikes from high altitudes by heavy bombers. And interdiction of both rail lines and railroad bridges constituted a significant part of the Fifteenth Air Force's efforts, especially during September and October 1944 when it assisted the Russian advance into Hungary by cutting and re-cutting railways running from Budapest to the southeastern front. Interdiction could be very effective, then, for targets assigned a heavy and continuing commitment of airpower. But in the midst of the war, no one proposed or expected diversion of that kind of military force for rescue purposes.

It might also be argued with some validity that railroad bombing would not have helped after July 8, 1944—the day on which the last mass deportations from Hungary to Auschwitz took place. The argument is convincing with regard to the three deportation railways farthest from Budapest, because most Jews outside Budapest were gone by then. The Nazis, with astounding speed, had moved 450,000 Jews to Auschwitz in fifty-five days. The deportations were suspended after July 8 mainly because an immense buildup of world pressure, most notably from the Pope and the King of Sweden, persuaded the Hungarian Regent, Miklos Horthy, belatedly to stand up to the Nazis on this issue.

Some 230,000 Jews still remained in Budapest, however, constantly threatened throughout the summer and fall by the very real possibility that the transports to Auschwitz might be resumed. Horthy's control of the situation was shaky. Some deportations did occur, and through the summer Eichmann kept attempting to reestablish his operation. Because of the continuing threat, the other two deportation railways, since they would have been used to carry Jews from Budapest to the gas chambers, remained critically important.

Deportation of the Budapest Jews would have taken roughly three weeks, in addition to several days of preparations. An alarm might well have reached the outside world in time for cuts in those railroads to have been of some help, even if the bombing had to be sporadic. In this situation, the United States could readily have demonstrated concern for the plight of the Jews. Without risking more than minute cost to the war effort, the War Department could have agreed to stand ready, if deportations had resumed, to spare some bomb tonnage for those two railroads, provided bombers were already scheduled to fly near them on regular war missions. And, as it happened, on ten different days from July through October, a total of 2,700 bombers carrying 6,600 tons of bombs traveled along or within easy reach of both the rail lines on the way to oil targets in the Blechhammer-Auschwitz region.

WHILE the ending of mass deportations from Hungary on July 8 has some bearing on the question of railroad bombing, it has little relevance to the issue of the bombing of Auschwitz. There is no question that bombing the gas chambers and crematoria would have saved many lives. Mass murder continued at Auschwitz until the gas chambers closed down in late November. Throughout the summer and fall, transports kept coming from many parts of Europe, carrying tens of thousands of Jews to their death.

Could the death factories have been located from the air? The four huge gassing-cremation installations stood in two pairs, spaced along the westernmost edge of the Auschwitz complex, just outside the Birkenau section of the camp. Four chimneys towered over the extermination buildings, two of which were 340 feet long, the others two-thirds that length. As we have seen, descriptions of the structures and of the camp's layout, supplied by escapees, were in Washington by early July 1944.

Heavy bombers flying at their normal 20,000 to 26,000 feet could have knocked out the mass-murder apparatus. The question would have been whether sufficient precision was possible to do it with only a few bombers, or whether a larger-scale saturation bombing mission would have been required. The answer could have emerged from the results of an initial attempt at precision bombing.

The main obstacles to accurate bombing were night, clouds, smoke, extreme altitudes, enemy fighter opposition, and heavy flak. The last two hindered aiming by making straight, level flight difficult. Except for one small experimental night raid on Blechhammer, all missions to Upper Silesia took place in daylight.

Weather conditions in the region were excellent for air operations throughout August and most of September; October was a time of poor weather. The September attack on Auschwitz ran into some smokescreening, but the one in August did not. Because the industrial area was nearly five miles from the killing installations, it is unlikely the latter would have been enveloped in smoke in any case. Unusually high-altitude flight was not a problem; the missions into Upper Silesia operated at normal altitudes for heavy bombers. Enemy fighter opposition was negligible at the Silesian targets between July and November, except for Blechhammer, and there it dwindled sharply after July. At Auschwitz, 19 German fighters appeared on August 20 to challenge 100 Mustang fighters and 127 Flying Fortresses. No German planes were encountered over Auschwitz on September 13. Flak resistance at Auschwitz was moderate and ineffective on August 20, but intense and accurate on September 13. In sum, the only real obstacle to precision bombing of the death machinery would have been flak, which might or might not have been intense and accurate enough to have in-

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terfered with aerial action on the gas-chamber side of the Auschwitz complex. Before August, Auschwitz had little flak defense; and only after the August 20 raid were heavy guns added.

A useful indicator of the chances for precise bombing of the death installations is the actual outcome of the two attacks on the Auschwitz industries. The August strike left three great fires and was described by General Eaker, commenting on photographs of it, as "a remarkable piece of bombing." The September raid was less accurate, yet Auschwitz records show that it did considerable damage.

If a precision bombing effort had failed, analysis of the results would have shed light on the prospects of a second attempt. If those prospects looked doubtful, a larger force could have smashed the crematoria in a saturation-bombing operation. Or a few Mitchell medium bombers, which struck with surer accuracy from lower altitudes, could have flown with one of the bomb runs into the area. The Mitchell had sufficient range to attack Auschwitz, since refueling was available on the Adriatic island of Vis, 110 miles before reaching the home base in Italy. The Vis airstrip, available by May 1944, was on the direct route to Auschwitz.

It was also entirely possible for Lightning (P-38) dive-bombers to have attacked the Auschwitz killing installations. On June 10, 1944, P-38's based in Italy dive-bombed oil refineries at Ploesti, making a round trip of 1,255 miles. The trip to Auschwitz and back was 1,240 miles, but stopping at Vis shortened that to 1,130. It is true that the Ploesti mission was near the limit for P-38 dive-bombers —4 landed at closer fields in Italy, thus cutting their distance to 1,185 miles. Yet almost all the returning dive-bombers completed the 1,255-mile trip. In addition, the flight into and out of Ploesti, then the third most heavily-defended target on the continent, necessitated more fuel-consuming maneuvering than an attack on Auschwitz would have required. And the P-38's had sufficient fuel to conduct strafing missions on the way back from Ploesti. Furthermore, in an emergency, Lightnings returning from Auschwitz could have landed at Partisan-held airfields in Yugoslavia.

OPPORTUNITIES for bombing the gas chambers were not limited to the August 20 and September 13 raids on Auschwitz. Bombers assigned to smash the death factory could have flown with any of the many missions to the nearby Silesian targets. Auschwitz could also have been scheduled as an alternative objective when poor bombing conditions prevailed at other targets.

If the killing installations had been destroyed at this stage of the war, it would have been practically impossible for the hard-pressed Germans to have rebuilt them. At the very least, the death machinery could not have operated for many months. (Original construction of the gas chambers and crematoria, carried out in a time of more readily available labor, transportation, and materials, had taken eight months.) Without gas chambers and crematoria, the Nazis would have been forced to reassess the extermination program in light of the need to commit new and virtually nonexistent manpower resources to mass killing. Gas was a far more efficient means of mass murder than shooting, and it caused much less of a psychological problem to the killers. The operation of the gas chambers, which killed 2,000 people in less than half an hour, required only a limited number of SS men. Killing tens of thousands by gunfire would have tied down a military force. The Nazis would also have again faced the body-disposal problem, an obstacle that had caused serious difficulty until the huge crematoria were built.

Available figures, which are incomplete because the Germans destroyed many of the pertinent records, indicate that 100,000 Jews were gassed at Auschwitz in the weeks after the August 20, 1944, air raid on the camp's industrial sector. If the date is set back to July 7, the time of the first attack on Blechhammer, the number increases by some 50,000. Unfortunately, requests for bombing Auschwitz did not arrive in Washington until July. If, instead, the earliest pleas for bombing the gas chambers had moved swiftly to the United States, and if they had drawn a positive and rapid response, the movement of the 450,000 Jews who were deported from Hungary to Auschwitz would most likely have been broken off and additional lives in the hundreds of thousands might have been saved. Much more significant, though, than attempts to calculate particular numbers is the fact that no one could tell during the summer of 1944 how many hundreds of thousands more would die at Auschwitz before the Nazis ceased their mass murder.*

THUS, there should have been no doubt as to the "efficacy" of bombing Auschwitz. But those who called for such bombing themselves faced an anguishing moral problem: they were taking responsibility for the deaths of camp inmates who would be killed if an attack were made. Though the murder installations stood at the edge of the Auschwitz complex, about two miles from the main camp, they were located very near Birkenau, itself a heavily populated concentration camp.

Jewish leaders in Europe and the United States

* Incidentally, if the gas chambers had been destroyed on August 20 or earlier, Anne Frank might possibly have survived the war. Arrested on August 4, she and her family were deported to Auschwitz from a camp in Holland on September 2. They went on the last deportation train from Holland. Later, Anne and her sister were transferred to the camp at Bergen-Belsen, Germany, where both died of typhus, Anne in March 1945. If the Auschwitz mass-killing machinery had been destroyed by August 20, the train very likely would not have left Holland, because most of its captive Jews were bound for the Auschwitz gas chambers.

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wrestled with the problem. Most concluded that loss of life under the circumstances was justifiable.* They realized that about 90 per cent of the Jews deported to Auschwitz were gassed on arrival. They were also aware that those who were spared the gas chambers, both men and women, struggled daily through a hellish agony as slave laborers. Food was far below subsistence: ersatz coffee in the morning, one liter of thin soup at noon, and 300 grams (10.6 ounces) of poor bread at night. Clothing consisted of ragged, filthy uniforms and wooden shoes. Quarters were crowded. Heavy, physical, outdoor labor was the rule, in all weather and for long hours. Guards beat or shot workers for any slowness or awkwardness. Typhus and other diseases ran through the camp. Medical attention was a fraud. Mortality was enormous: the average prisoner had little chance for survival. In a matter of weeks, inmates were drained of life, culled from the ranks when too weak for hard labor and dispatched to the gas chambers.

All these facts were known to Jewish leaders, and to government officials as well, from carefully corroborated reports made by Auschwitz escapees. Most imprisoned Jews were doomed to death. Bombing the extermination machinery would kill some of them, but it would also halt the mass production of murder.

Although the people who appealed for the bombing were unaware of it, many prisoners in Auschwitz shared their viewpoint. Olga Lengyel, a Birkenau survivor, recalled after the war that she and the inmates she knew hoped for an air raid: "If the Allies could blow up the crematory ovens! The pace of the extermination would at least be slowed." Pelagia Lewinska, a non-Jewish prisoner, remembered the approach of Allied aircraft as "joyous experiences":

> At such times we kept telling ourselves: Maybe they will drop leaflets, maybe they will destroy our camp, maybe they will even liberate us!

Two sisters, Hungarian Jews who were in Birkenau when the Auschwitz industrial areas were hit, told of the prisoners in their section praying for the bombers to blast the gas chambers. They were more than ready to die for that.

IV

THE basic principle underlying the War Department's rejection of the bombing proposals was that military resources could not be deflected to non-military objectives, no matter how compelling the humanitarian appeal. The logic of this position was extremely forceful in a world at war. But it should be emphasized that the policy was not as ironbound as the War Department indicated in its replies to the bombing requests. During World War II, exceptions to this general rule occurred quite often. Many of them, to the credit of the United States, were for humanitarian purposes. For instance, despite a severe transportation shortage, the American and British military moved 150,000 non-Jewish Polish, Yugoslav, and Greek war refugees to camps in Africa and the Middle East. American airlifts of wounded Yugoslav Partisans rather frequently brought out endangered women and children also. One such mission included four troop transports loaded with orphans.

Two additional kinds of actions show that the war effort could be deflected for other decent purposes, such as art or loyalty to beaten allies. Kyoto, ancient capital of Japan and a center of culture and art, was on the Air Force target list. In the spring of 1945, Secretary of War Henry L. Stimson asked McCloy: "Would you consider me a sentimental old man if I removed Kyoto from the target cities for our bombers?" McCloy encouraged Stimson to do it. The Air Force command argued against the decision, but adhered to it. Kyoto was not hit. On another occasion, McCloy himself prevented the planned bombing of Rothenburg, a German town known for its medieval architecture.

On August 1, 1944, as Soviet forces neared Warsaw, the Polish Home Army rose against the Germans. But the Russian advance suddenly stopped and the Red Army remained about 10 kilometers from Warsaw for weeks, while the Nazis decimated the unaided and poorly supplied Polish fighters. One cause for the unexpected Russian halt was the ferocity of the German counterattack. A second factor was the Soviet government's apparent decision to let the Germans eliminate the Home Army, a non-Communist resistance force tied to the Polish government-in-exile in London which represented a possible obstacle to Russian control of postwar Poland.

Polish officials in London brought intense pressure to bear on the British government to do something about this situation. Although Air Marshal Sir John Slessor, RAF commander in Italy, believed that supply flights to Warsaw from Italy would result in a "prohibitive rate of loss to the Air Force," and "could not possibly affect the issue of the war one way or another," the British government ordered that the missions be run. Volunteer RAF and Polish units flew 22 night operations from Italy between August 8 and September 20. Of 181 bombers sent, 31 did not come back. Slessor concluded that the effort had "achieved practically nothing."

* One major Jewish organization did not agree. The U.S. section of the World Jewish Congress (WJC) opposed bombing the death installations because Jews in the camp would be killed. They pressed instead for Russian paratroop action to liberate the camp, and for the Polish underground to destroy the killing machinery. These were vain hopes. Russia ignored the problem and the Polish underground did not have anything like enough strength for such an operation. It was, however, the U.S. section of the WJC that relayed Frischer's proposal to bomb the gas chambers to the War Department in August 1944. The British and Swiss sections of the WJC called for bombing the murder installations.

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The U.S. Air Force did not participate in the Italy-based operations to Warsaw, but American bombers from Britain did join the effort. On September 18, 107 Flying Fortresses dropped 1,284 containers of arms and supplies on Warsaw and continued on to bases in Russia. At most, only 288 containers reached the Home Army. The Germans took the rest.

The cost of the mission was low in numbers of aircraft lost, but extremely high in the amount of airpower kept out of regular operations. To deliver 288 (or fewer) containers to a military force known to be defeated, 107 heavy bombers were tied up for nine consecutive days. For four days the Fortresses sat in England, loaded with supplies, waiting for the right weather conditions. After the mission, four more days elapsed before the planes returned home, via Italy. Prevailing wind patterns made the long trip from Russia to England unsafe for Flying Fortresses. While the bombers did strike a rail target in Hungary on the way from Russia to Italy, they carried out no other bombing operations in the entire nine days.

The USSTAF's director of intelligence summarized American involvement in the Warsaw airdrops. His report acknowledged that even before the September 18 flight the President, the War Department, and the Air Force realized that "the Partisan fight was a losing one" and that "large numbers of planes would be tied up for long periods of time and lost to the main strategic effort against Germany." Still, all involved concurred in the decision to go forward, "despite the lack of a firm commitment" to the Polish government by the United States.

Why did the United States divert a large amount of bombing capacity during a crucial phase of the oil campaign? The report's closing paragraph supplied part of the answer:

> Despite the tangible cost which far outweighed the tangible results achieved, it is concluded that this mission was amply justified. . . . America kept faith with its Ally. One thing stands out, from the President down to the airmen who flew the planes, America wanted to, tried, and did help within her means and possibilities.

The Warsaw airdrop was executed only by diversion of considerable airpower to an impracticable project. The justification for that serious move was no doubt partly political: some advantage in the postwar period might derive from having sacrificed for an ally. Beyond that, however, the United States had demonstrated its deep concern for the plight of a devastated friend.

V

If, when the first bombing request came to it, the Operations Division of the War Department had taken the trouble to consult the command of the relevant air arm, it would have found the Fifteenth Air Force on the verge of a major bombing campaign in the region around Auschwitz. Instead, the possibilities were never investigated in Washington. From July through November 1944, more than 2,800 bombers struck Blechhammer and other targets close to Auschwitz. The industrial area of Auschwitz itself was hit twice. Yet the War Department persisted in rejecting each new request to bomb the death camp on the basis of its initial, perfunctory judgment that the proposals were "impracticable" because they would require "diversion of considerable air support." That the terrible plight of the Jews did not merit any active response remains a source of wonder, and a lesson, even today.

Note

The basic sources used in this study are in the following archival collections:

1. National Archives—Record Group 107, Assistant Secretary of War. Record Group 165, War Department General and Special Staffs (Operations Division and Civil Affairs Division). Record Group 243, U.S. Strategic Bombing Survey.

2. Library of Congress—Carl A. Spaatz Papers. Ira C. Eaker Papers.

3. Franklin D. Roosevelt Library—War Refugee Board Records. Morgenthau Diaries.

4. Albert F. Simpson Historical Research Center—15th Air Force Mission Reports.

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After the Dominoes Fell

Carl Gershman

IT IS now almost three years since Vietnam, Cambodia, and Laos fell to the Communists. During the war, so much attention was focused on the mistakes of U.S. policy and on the undemocratic practices of the governments we were supporting that a complacent attitude developed toward the consequences of a Communist victory for the people in Indochina. But the time has come to challenge that attitude. For we now know that the end of the war has not brought an end to the suffering of the people of Vietnam, Cambodia, and Laos but has increased it—in the case of Cambodia beyond even the worst expectations.

The southern half of Vietnam is a closed society now, off-limits to the Western press and most other observers from the non-Communist world. Amnesty International cannot inspect its jails, nor are delegations from similar watchdog organizations allowed in to have a look at the actual conditions of day-to-day life in the country. Still, the regime has been unable to keep the South completely sealed off, and a few non-Communist journalists who supported Hanoi during the war have been let in. One of them, Jean Lacouture, wrote after his visit that "it is better for someone trying to preserve intact his admiration for a revolution not to know its victims." Other information has also come from foreign observers who remained behind after the Communist victory, like the French Canadian Jesuit priest, André Gelinas, as well as through clandestine letters smuggled out and received by Vietnamese communities in the United States and France.

The chief source of information, however, has been the Vietnamese refugees who arrive by boat in Thailand and other Southeast Asian countries at the rate of about 1,500 per month, some carrying documents which bear upon conditions of life in Vietnam, others having only their own personal experiences to relate. Noam Chomsky, a sympathizer of the new regimes in Indochina, has written of "the extreme unreliability" of reports by Indochinese refugees who are "frightened and defenseless" and have "a vested interest" in telling their Thai or Western interlocutors what is wrong with the Communist societies they have fled. But such cavalier dismissal of testimony from hundreds and even thousands of witnesses who come from different parts of the country and from different social backgrounds seems almost willfully perverse, particularly when these accounts have been corroborated under close questioning, when they have been carefully weighed and checked against information gathered from other sources, including official Communist statements, and when the government that stands indicted in these accounts has also abolished the minimal freedoms necessary to determine their accuracy. (Chomsky's skepticism, it should be added, is selective. He has no trouble believing a report by an American Friends Service Committee delegation to Vietnam describing the "impressive social and economic progress" made in Vietnam since the war.)

Moreover, it is not only what the refugees say about life in Vietnam that is significant, but also the very fact that they fled and the risks they took in doing so—they literally threw themselves upon the South China Sea in small coastal craft, knowing that they were more likely to be caught by the Vietnamese patrols or to perish at sea than to make it to safety. One of these "boat people," Nguyen Cong Hoan, who was an opponent of the Thieu government and then became a member of the National Assembly of the newly united Communist Vietnam before his escape in March 1977, explained the political significance of these hazardous escapes in testimony before a House Subcommittee in July:*

> . . . Our people have a traditional attachment to their country. No Vietnamese would willingly leave home, homeland, and ancestors' graves. During the most oppressive French colonial rule and Japanese domination no one escaped by boat at great risk to their lives. Yet you see that my countrymen by the thousands and from all walks of life, including a number of disillusioned Vietcongs, continue to escape from

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* Hearings before the Subcommittee on International Organizations of the House Committee on International Relations, July 26, 1977, pp. 145-67.

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Vietnam; six out of ten never make it, and for those who are fortunate to make it, they are not allowed to land.

Yet still the refugees continue to flee, because, according to Nguyen Cong Hoan, both they and the compatriots they leave behind consider the new Communist government "the most inhuman and oppressive regime they have ever known." This view was further borne out in an interview published recently in the New York *Times*, of two refugees who had been the organizers of a boat escape for some forty-four people. When asked by the interviewer, Henry Kamm, how they had been able to avoid detection during their year-long preparations for flight, one of the refugees replied that there was little risk of being informed on since "everybody is against the government and most people would like to leave."

IT NOW appears that there was no "blood bath" in Vietnam after the Communist victory on the scale of the Hué massacre of 1968 (when several thousand civilians were executed during the brief period of Communist control of the city). This does not mean, however, that no executions have taken place. Nguyen Cong Hoan says that there were few executions in Saigon itself or other major cities, but many more in the provinces, where there was less danger of detection. In his own province of Phu Yen, which has a population of 300,000 (the total population of the south is about 20 million), Nguyen Cong Hoan estimates that there have been 700 executions, 500 immediately after the Communist takeover, mostly of police and civilian officials and political party members, and 200 during the following two years. He adds that Phu Yen is a "typical" province in this respect, but cautions that precise figures are difficult to come by, since families are afraid to protest or even to divulge such executions. All told, it seems probable that executions in South Vietnam have numbered in the tens of thousands.

A more common method of dealing with members of the old regime or other politically unreliable elements has been to ship them off to so-called reeducation camps. These are really concentration camps by another name, where prisoners are subjected to twelve hours a day of forced labor, as well as to daily indoctrination sessions about the sins of the U.S. and the Thieu regime. They are also required to produce confessions of past political error, and to compose painstakingly detailed and ideologically correct personal and family histories which are continually being written and rewritten. Conditions in these camps are reportedly abominable. Lacouture described one that he visited as a "prefabricated hell," while a *Le Monde* correspondent, Patrice de Beer, another former supporter of the National Liberation Front, talked about the "atmosphere of misery" in a second camp. Former inmates report numerous deaths from malnutrition, exhaustion, malaria, and dysentery, as well as through suicides and the hand-detection of mines—a convenient way to dispose of recalcitrant prisoners. Journalist Theodore Jacquenay, who interviewed former prisoners, reports that "camp inmates commonly suffer from limb paralysis, vision loss, and infectious skin diseases like scabies caused by long-term, closely-packed, dark living conditions."

Just how many prisoners are presently in these camps is difficult to determine, since arrests are not made public and families are generally not even informed of the circumstances when a member disappears. Nor, needless to say, are there any trials. In 1976, one Vietnamese official said there were "more than 200,000" in the camps, while early in 1977 Vietnam's envoy to Paris said there were "at most some 50,000." The actual figures seem to be higher. Nguyen Cong Hoan, extrapolating from the 6,000 prisoners he knows to be held in Phu Yen (he visited three of the seven camps there), puts the total for the country at somewhere between 200,000 and 480,000. Lacouture thinks the figure may exceed 300,000, while Father Gelinas estimates there may be as many as 500,000 in the camps.

It seems very possible, therefore, that about one out of every sixty South Vietnamese is presently an inmate of the new Vietnam's own version of the Gulag Archipelago. These prisoners include not only military and civilian officials of the former government, but also political leaders who were against the Thieu regime, like the former leader of the opposition in South Vietnam's National Assembly, Tran Van Tuyen, who was also president of the Vietnam Bar Association. (Tran Van Tuyen's case has been "adopted" by Amnesty International, and it is feared he may already be dead.) Other imprisoned "third-force" leaders include Bui Tuong Huan, a senator and former president of Hué University, Father Tran Huu Thanh, a dissident Catholic priest who had been a vigorous advocate of social reform under the old government, and Tran Ngoc Chau, once the third-ranking member of the National Assembly who was sentenced to prison in 1969 for alleged Communist affiliation (his brother was a North Vietnamese agent).

These and similar arrests signify the total destruction of political freedom in the country. The many political parties which existed in South Vietnam before the Communist takeover have been disbanded, and elections now serve, as they do in all Communist countries, merely as occasions for intensified propagandizing and for automatic ratification of the candidates put forward by the party. The pretense of free choice is of course maintained. In the elections of April 1976, for example, voters could cross out two of three names on the party list—but even then there was fre-

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quently a party official on hand to make sure the preferred candidates were not scratched. If the turnout was high, it was for a simple reason: as Father Gelinas points out, "Your voting card, duly stamped, became your identity card. On election day all the old identity cards became obsolete; and without an identity card you can't buy rice, you are automatically in violation of the law, you can't live. If you didn't vote you were simply a non-citizen."

If political freedom has disappeared under the current regime, so has freedom of the press. There had been twenty-seven daily newspapers, some two hundred scholarly journals, three television stations, and more than twenty radio stations in South Vietnam under the Thieu regime. When the Communists took over, these were all closed down, and replaced by two official dailies, one television channel, and two radio stations—all disseminating the same government propaganda. During the first weeks of the new regime, hundreds of thousands of books, magazines, and records—symbols of the old "decadent" culture—were set on fire in the streets, and all writers and artists in Saigon were required to register with the "Association of Writers and Artists of Ho Chi Minh City" (the new name given to Saigon). In September 1975, the government began arresting intellectuals, and papers recently smuggled out of Vietnam contain the names of forty-eight of the country's most prominent writers and artists who have disappeared in this way.

THE Communist party controls South Vietnamese society at every level. The old labor federation, the CVT, was disbanded immediately by the Communists and many of its leaders were executed or sent to reeducation camps. The new federation is completely a creature of the party, which appoints all its officials. Freedom of movement is now regulated by a system of internal passports, and freedom of association has been abolished altogether. Any kind of large family gathering, such as a wedding or funeral, requires a government permit and is attended by a security officer. Even get-togethers of a few people are viewed suspiciously, so that participants are liable to be picked up for questioning at any time, and, if their reports vary, arrested. There are also daily indoctrination sessions for the general public at which citizens recite the basic tenets of Communism and the evils of U.S. imperialism, and also inform the instructor about what is going on in the neighborhood—a useful way for the authorities to keep track of "counterrevolutionary" behavior. The schools, naturally, are centers for systematic indoctrination, and teachers must check out all materials with the authorities beforehand to make certain they contain the proper ideological content. (Elementary arithmetic, according to one refugee teacher, is taught through problems like the following: "One Communist soldier kills fifteen American imperialist soldiers and shoots down three imperialist planes in one day. How many soldiers and how many planes will he account for in five days?")

The party has been particularly determined to eliminate religion, the aspect of the "old" culture that the people cling to most tenaciously. All four major religions of South Vietnam—the majority An Quang Buddhists, the Hoa Hao, the Cao Dai, and the Catholics—have been severely curtailed, and many of their leaders have been arrested. On April 6, 1977, for example, police swooped down on the An Quang Pagoda in a nighttime raid and arrested almost the entire leadership. Last summer, the Venerable Thich Manh Giac, who had been the liaison between the An Quang Buddhists and the government, escaped by boat carrying documents which list innumerable acts of religious repression. These acts include the closing down of the Vanh Hanh Buddhist University and the School for Youth and Social Services, along with thousands of smaller schools, dispensaries, orphanages, and day-care centers, as well as all Buddhist newspapers, magazines, and publishing houses. The Buddhist leader also had with him an introductory "Human Rights Appeal" drafted by the Unified Buddhist Church. The appeal charges that the government,

> pursuing the policy of shattering the religious communities in our country, . . . has arrested hundreds of monks, confiscated hundreds of pagodas and converted them to government administration buildings, removed and smashed Buddha and Bodhisattra statues, prohibited celebration of the Buddha's birthday as a national holiday, made it impossible for monks and nuns to support themselves financially, prevented laymen from coming to temples, and forbidden monks to travel and preach by ordering restrictions in the name of "national security."

Along with other members of the resistance movement (which continues, in spite of everything), the Buddhists are finding that the Communists, who had promised national reconciliation and concord, are far more thorough in their repression than any previous government had been. It is also much harder to appeal to world opinion these days than it was before. Thus, while the self-immolation of the Venerable Thich Quang Duc in 1963 received international publicity and shook the foundations of the Diem regime, the self-immolation of *twelve* Buddhist nuns and priests on November 2, 1975, in protest against Communist repression, passed virtually unnoticed. The official Communist version of the event is that "Abbot Hue Hien killed eleven monks and nuns and then burned himself and the monastery."

The population is also suffering economic hardships on a scale unknown before. Several million

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people are unemployed, food is scarce, inflation is rampant, a great deal of personal property has been confiscated, and taxes are so high that production is discouraged. Nguyen Cong Hoan claims that this impoverishment of the people is a deliberate Communist policy insofar as it gives the regime added "leverage" over them. But whether the policy is in fact intentional or simply the usual example of totalitarian economic performance, its effect has been to make the population utterly dependent on the government for rice rations, medicine, employment, and other essentials. By withholding these necessities, the government has more easily been able to "persuade" people to resettle in the dreaded New Economic Zones.

These zones are hardly different from the reeducation camps. They are located in remote jungle areas where people work in collective gangs at such tasks as clearing land and digging canals. Living conditions are primitive, there is little food, and malaria is rampant. Despite their name, the New Economic Zones do not serve an economic purpose but rather a political one: the deliberate fragmentation of the population in order to root out the last remaining vestiges of the old "bourgeois" order. Anyone considered unproductive or untrustworthy by the new regime is likely to be relocated.

Such unproductive and untrustworthy elements include, according to an article in the official daily *Giai Phong* (March 17, 1977), the unemployed, merchants, property owners, students not in school (usually because they are kept out on grounds of their families' social or political standing), officers and civil servants of the old regime, persons with relatives in reeducation camps, disabled soldiers from the former army, the crippled and the elderly, members of minority groups and religions (the Chinese are mentioned), urban residents who used to live in the countryside, and, finally, skilled workers, technicians, and intellectuals whom the authorities "invite" to register "voluntarily" for the new zones. By the spring of 1977, according to official figures, some 700,000 people had been moved into these new zones. Nevertheless, Premier Pham Van Dong has complained that the resettlement program has been "poorly executed" so far. The regime's ultimate goal is to resettle 10 million people.

IN SHORT, the southern half of Vietnam is now a totalitarian state run from Hanoi, the Provisional Revolutionary Government of the Vietcong having been liquidated less than three months after the Communist takeover. Clearly a staggering transformation has already taken place. The sense of hopelessness felt by the Vietnamese people in the face of the harsh controls, the random cruelty, and the sheer economic irrationality of their new masters is conveyed in the Buddhist human-rights appeal:

> Since the liberation [*sic*] thousands have committed suicide out of despair. Thousands have fled the country in small boats. Hospitals are reserved for cadres; civilians hardly have a chance to be hospitalized in case of sickness, while more than 200 doctors remain in detention. Schoolchildren under fourteen have been assigned to collect pieces of scrap material in big garbage heaps and other places during the summer vacation; this has resulted in numerous explosions of old munitions and the loss of hundreds of lives. The recent accident on June 12, 1977, which killed twenty-five children, is an example. Tens of thousands of war veterans are left without any care. Civilian efforts to help orphans, especially those not in orphanages, have been stopped. Hundreds of thousands of them have been abandoned to the care of relatives who are barely capable of feeding themselves. Farmers who used to cultivate rice for sale have reduced the amount of land under cultivation and are producing enough rice only for their own families, because taxes are high (40 per cent) and what is left is bought by the government with only credit certificates. People without any experience in farming, like teachers and vendors, have been forced to take up the plough. Local irrigation systems have been planned by non-specialists without coordination between areas; the result has been catastrophic: water with high acid content has destroyed a lot of crops. A country that used to export rice has no rice to eat, even though the number of "laborers" has now increased about ten times.

The government, the appeal goes on to say, has "monopolized everything" and is concerned solely "with efforts to strengthen its power." It prohibits "creative thinking and participation of independent groups. Totalitarianism destroys all possibility of genuine national reconciliation and concord." The people want to participate in rebuilding the country, "not as machines but as humans with minds and hearts."

LIFE in the new Laos is not much different today from life in Vietnam. Since the Communist takeover in 1975, more than 100,000 people—possibly as many as 200,000—have fled Laos across the Mekong River into Thailand, a remarkable figure for a country whose total population is only 3 million. Many of those who fled at the beginning belonged to the professional and commercial elite, but since then the refugees have been mostly peasants and workers. If they do not get killed by border patrols, the poorer ones face a bleak future in the Thai camps (the more affluent can usually make it to France or the United States). But this has not stopped them from fleeing at a rate of 3,000 a month, and they show no desire to return.

Life is harsh in Laos today for all except the party leaders and cadres. The economic situation has worsened since the war as a result of a Thai

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blockade and, more significantly, as a result of gross mismanagement by the new regime. Political controls are rigid and often arbitrary, and everyone over the age of fifteen must attend regular indoctrination "seminars." A few thousand people said to be prostitutes, opium addicts, and teenage "hooligans" are interned in relatively mild reeducation camps on the "monkey islands" near Vientiane, but much harsher treatment has been accorded some 40-50,000 civil servants and military men of the former regime who have been sent to the forced-labor camps that are scattered throughout the countryside. The sense of siege is further heightened by the presence in Laos of some 25,000 Vietnamese troops, who are there supposedly to combat a few remaining pockets of resistance—in the south from some 1,500 former royalist troops, and in the north and west from Meo tribesmen who ambush trucks and troop convoys and have even shot down a Soviet helicopter. These troops assist Communist insurgencies in Thailand and assure Vietnam's continued hegemony over Laos.

BAD as conditions are in Vietnam and Laos, however, life in these two countries seems almost cheerful compared to what has been happening in Communist Cambodia, now known as Democratic Kampuchea, over the past three years. It is now recognized beyond any serious doubt that a great holocaust has taken place there, and even writers once sympathetic to the Khmer Rouge, like Lacouture and *Le Monde*'s Patrice de Beer, have described the Cambodian upheaval as the bloodiest and most extreme revolution in history. It represents, at the very least, the worst crime to have been committed by a government against a people since Hitler's destruction of the Jews.

The savagery began, as is now well known, on April 17, 1975, the day the Communists entered Phnom Penh. Within two days, they had emptied the city of its entire population of 3 million people, sweeping up everyone, including the old and the wounded, and even bedridden hospital patients, into a forced march to the countryside. Anyone who questioned or showed signs of resisting the orders to march was simply shot. The marchers were not given drinking water, food, or medicine—or any shelter against the monsoon rains, the tropical heat, or the bitter cold nights. Old people and children were the first to perish from dehydration, acute dysentery, and exhaustion; laggards were shot after one or two curt warnings, and their bodies left unburied on the side of the road. One Cambodian physician who took part in the forced exodus, Dr. Vann Hay, said later that in the course of the month he spent on different roads and trails before escaping into Vietnam, he "passed the body of a child every 200 yards. Most of them died of gastrointestinal afflictions which cause complete dehydration. . . . Thinking of all the bodies I saw, plus the sick who came to see me, between twenty and thirty every day, half of whom were not going to live, I figure that between 20,000 and 30,000 people must have died the first month, just in the area described [the route he walked before his escape]."*

Within a week of their entrance into Phnom Penh, the Communists had emptied all the other major cities of Cambodia as well. All told, an estimated 4 million people were forced to take to the roads (out of a population of about 7 million). The cities they left behind were sacked—books and documents of every kind were destroyed, temples were ransacked, everything from household furnishings to hospital equipment to automobiles was smashed to pieces or set on fire. In a matter of days, the Communist troops—acting in the name of Angka Loeu, the mysterious, all-powerful Organization on High—had obliterated Cambodian society, destroying everything which could be taken to represent a link with the old order. "More than 2,000 years of Cambodian history," Radio Phnom Penh declared, "have virtually ended." Father Ponchaud quotes a local Communist official as having said that the intention of the new regime was "to do away with every reminder of colonial and imperialist culture, whether visible or tangible or in a person's mind; to rebuild our new Cambodia, one million men is enough."

The first to be executed by the new regime were the military officers and officials of the former Lon Nol government, and their families. According to accounts given by the handful of survivors who managed to escape these massacres, officers of the surrendering army would be assembled in one place, given assurance of fair treatment, and then driven off in full dress uniform to what they were told would be welcoming ceremonies for the exiled Prince Sihanouk. Instead, the officers were taken to a prearranged location in the countryside,

* Quoted by John Barron in the hearings before the Subcommittee on International Organizations of the House Committee on International Relations, May 3, 1977. Most of the information on what has happened in Cambodia comes from interviews with Cambodian refugees in Thailand and France. The most comprehensive and thorough study, based on interviews with more than 300 refugees, is *Murder of a Gentle Land* by Barron and Anthony Paul (Reader's Digest Press, 240 pp., $9.95). Another valuable book is *Cambodge: année zero* (Julliard) by François Ponchaud (Holt, Rinehart & Winston is bringing out an English edition, *Cambodia: Year One*, translated by Nancy Amphoux, in July). Ponchaud, a French priest and noted authority on Cambodia, spent ten years in the country before leaving in early May 1975 with the hundreds of other foreigners who had been confined in the French embassy. The information in these books is consistent with the reports of many journalists, notably Sidney H. Schanberg and Henry Kamm of the New York *Times*, and with the views of Charles H. Twining, the American foreign-service officer in Bangkok responsible for following events in Cambodia. Twining's views are contained in testimony before the House Subcommittee mentioned above, July 26, 1977.

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where Communist troops were waiting to slaughter them. Often no one remained alive after these massacres to tell the tale, but since the Communists left the bodies unburied—the better to terrorize the populace—many saw the officers' remains. Even a group of eighty-eight air-force pilots who had loyally returned from Thailand to the new "democratic" Cambodia were not spared, but stabbed and clubbed to death following a well-publicized welcoming ceremony at the Thai border.

Some of the more horrifying incidents described in Barron and Paul's *Murder of a Gentle Land* (based upon tape-recorded interviews with refugees who are identified by name) strain one's power of belief, but seem credible in the light of what we know about the present Cambodian regime. At the village of Kauk Lon, for example, some 360 men, women, and children—all the inhabitants of the village—were machine-gunned by Communist troops because some of the men were suspected of being police agents and government officials. Near the village of Khal Kabei, about forty wives and daughters of former military officers and senior civil servants were buried up to their necks in a line, then stabbed in the throat one by one. At Mongkol Borei, ten civil servants and their families, about sixty people in all, were rounded up, and then, with hands tied behind their backs, taken by truck to a banana plantation near the village of Banteay Neang. What happened next is described by Ith Thaim, the man drafted by the Communists to drive the truck:

> Weeping, sobbing, begging for their lives, the prisoners were pushed into a clearing among the banana trees, then formed into a ragged line, the terrified mothers and children clustering around each head of the family. With military orderliness, the Communists thrust each official forward one at a time and forced him to kneel between two soldiers armed with bayonet-tipped AK-47 rifles. The soldiers then stabbed the victim simultaneously, one through the chest and the other through the back. Family by family, the Communists pressed the slaughter, moving methodically down the line. As each man lay dying, his anguished, horror-struck wife and children were dragged up to the body. The women, forced to kneel, also received simultaneous bayonet thrusts. The children and babies, last to die, were stabbed where they stood.

A SECOND wave of organized executions began in early 1976. This time it was not only high-ranking figures who were marked for destruction, but also all former government soldiers and civil servants, along with teachers, students, and village chiefs. Just how many people were killed in these massacres may never be known, though close observers have estimated that somewhere between 100,000 and 200,000 Cambodians were executed by the Communists during 1975 and 1976. Moreover, these deaths represent only a relatively small proportion—perhaps 10 per cent—of the total number of people who have died at the hands of the Communist regime. An estimated 400,000 perished at the outset in the forced marches, and hundreds of thousands more who survived the marches died later—and are still dying—in the slave-camp "villages" to which they were sent.

In these camps, inmates are assigned to one of three separate work-gangs made up of adult men, adult women, and children between the ages of six and fifteen. (One consequence of this has been the virtual destruction of family life.) The three groups work from six in the morning to six in the evening seven days a week, except on moonlit nights when adults continue working until ten; the rest of the time is taken up with indoctrination sessions. The work consists mostly of digging irrigation ditches, building small dams, clearing trees, and plowing the ground for later rice planting. There are no rest periods and only two breaks for "meals," which consist of half of a small condensed-milk can of rice. In an effort to stay alive, prisoners have resorted to anything that seems edible—the bark of trees, leaves, insects. Nevertheless, death from starvation is extremely common, as is death from disease and by execution. Indeed, virtually any minor deviation from the rigid discipline imposed by village authorities can lead to execution. Flirtation, marital quarreling, talking during the work period, fraternizing outside the family, or any display of what the regime calls "old dandruff" (meaning any show of longing for the old days) may result in a *kosang* (or warning)—no one is allowed more than two *kosangs*. Extramarital sex or attempting to marry without proper authorization lead to summary execution, as does any escape attempt, or any suspicion of harboring a desire to escape.

Not surprisingly, the attrition rate in these camps has been extraordinarily high, particularly for the half-million people from the south who were uprooted for the second time in the autumn of 1975, just a few weeks before they were to harvest the grain they had planted over the summer. One refugee from Krakor, a village located on the road from Phnom Penh to Battambang, reported that the population of his community declined from 12,750 in May 1975 to 6,000 in December 1976 as a result of starvation, disease, and execution. When these figures were announced by the local Communist chief, the announcement came in the form of a pep talk: "Because the population of Krakor is half what it was, you must all work twice as hard now." *Time* magazine recently reported that 250 people a month were dying of starvation in Kok Tlok, a village of 10,000 residents, and U.S. foreign-service officer Charles H. Twining has described a village that lost one-sixth of its population in the course of a year. Barron

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and Paul estimate that close to 20 per cent of the survivors of the initial marches—about 700,000 people—died of starvation and disease between May 1975 and January 1977.

We may never know the total number of people who have died in revolutionary Cambodia. Barron and Paul estimate that from April 17, 1975, to January 1, 1977, as a result of all causes combined —the marches, disease and starvation in the camps, executions, and unsuccessful escape attempts— 1,200,000 people have died. *Newsweek* recently estimated the number who have died at 2 million. An even higher estimate has been given by Father Ponchaud whose research, according to a recent article by William Shawcross in the *New York Review of Books*, "appears more thorough than any yet undertaken," and who has interviewed more than 1,000 Cambodian refugees. Shawcross quotes Father Ponchaud's latest summary of his work (late February): "The estimate that more than 100,000 Khmers have been executed must now be taken as an absolute minimum. It is possible that two or three times as many people have been executed. The number who have died because of the lack of food and of medical and sanitary facilities, and from the frantic pace of work, may well be more than 2 million. I have had reports of villages in which a third, a half, or even nine-tenths of the population have died." Others have come up with lower figures, like Lewis M. Simons who held in a recent article in the Washington *Post* that the first reports may have been "inflamed by horrifying tales carried by the refugees." But even Simons's estimate places the number of executions *alone* at 200,000, which is *twice* the estimate of Barron and Paul, and he goes on to point out "that malnutrition and disease, notably malaria, had taken several times more lives than executions."

The hopes of some observers that the situation might improve, once the regime had consolidated its power, no longer seem warranted. All the evidence indicates that the regime is, if anything, growing more extreme in its policies, not less, and that people are still dying at a monstrous rate. Not long ago, moreover, a new phase got under way, as the revolution began, inevitably, to devour its own children. Thus, according to recent interviews with Khmer Rouge defectors in Thailand, thousands of Communist officers and soldiers have been executed in a purge which began in April of last year, and which may be directed against a faction in the regime suspected of having sympathies with the Vietnamese Communists. The so-called "new" Khmer Rouge has intensified its efforts to seek out and destroy all soldiers and civil servants of the old Lon Nol regime who are still alive, as well as all Buddhist monks and "educated" people (meaning anyone with a seventh-grade education or above). In a speech delivered in late September, Communist party leader Pol Pot said that as many as 1 to 2 per cent of Cambodia's population are "reactionary elements" and must therefore be eliminated. (Since Pol Pot estimates the population at 8 million—an exaggerated figure—this may mean as many as 160,000 people.) Recent events, however, make it conceivable that the Vietnamese army may conquer the shattered remains of Cambodia before Pol Pot can complete his ghastly revolution. Despite their historic enmity toward Vietnam, and despite the brutality of which the Vietnamese Communists are themselves capable, some Cambodians might even welcome a Vietnamese conquest as a fate preferable to life, and death, under Pol Pot.

At this stage, it seems heartless even to raise the question of whether the Vietnamese (not to mention the Cambodians), are more or less free now than they were before the Communists took over. Freedom is, of course, relative. But even if pre-Communist South Vietnam was obviously less free than, say, the United States, and even if many of the government's political opponents were in prison, the fact remains that the opposition parties were still well enough organized in 1971 to win nearly 40 per cent of the seats in that year's election to the lower house. And people living in pre-Communist South Vietnam could also practice Buddhism, write poetry, or organize unions, without being sent to a concentration camp; nor were they subjected to ceaseless indoctrination. For the Vietnamese, the distinction between a society that is authoritarian or "partly free" (to borrow the Freedom House designation) and one that is totalitarian is not academic. Moreover, the notion that the South Vietnamese have been compensated for their loss of freedom with new economic advantages can hardly be taken seriously, given the fact that the new totalitarian regime has not only wrecked the lives of the people, but has also wrecked the country's economy. The elimination of the middle class and the enslavement of the work force may have helped the party to achieve total power, but they have not proved to be the best methods for promoting economic development.

Save perhaps for the unspeakable barbarism in Cambodia, there is nothing we have now learned about the nature of Communist rule in Indochina that could not have been anticipated during the war. For example, a front-page story in the New York *Times* of August 10, 1972 provided a detailed account of Communist practice during the three-month occupation of Binh-dinh province: ". . . . people who lived through the occupation have told of public executions, groups of people being led away, forced labor, enormously high taxes, stiff controls on everyday travel between hamlets, and mandatory nightly political lectures." Yet only a week after this story appeared, the Democratic party standard-bearer,

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George McGovern, could proclaim that when Communists take over a village "they don't assassinate people there. They set up a school and a road system and a tax system."

McGovern's view of Communism as just "another economic system" which people should be allowed to "choose" without our interference was embraced by many opponents of the Vietnam war, even when this meant denying everything we had come to know about Communism. For those who may have forgotten the lessons of the past, or for those who may never have learned them, the recent tragic history of Indochina should be instructive.

THE main lesson to be learned—or relearned—from the new Indochina is that Communism is a system based on terror and total power. It is a system, moreover, which is not content simply to destroy every trace of political opposition, or to subject every aspect of society to the rigid control of the party dictatorship. It also requires the individual to surrender his soul to the state and thereby become a "new man." In this respect, the Cambodian revolution, while singular in its brutality, must still be understood as merely another variant of the Communist totalitarian phenomenon. It is Communism manifesting itself under particular national circumstances. Lacouture suggests, for example, that the long humiliation of colonialism, and particularly the "obsessive proximity" of the more powerful and domineering Vietnamese, might account for "the frantic desire of today's leaders in Cambodia to show themselves to be more radical, puritan, doctrinaire than their neighbors. . . ." But in another sense (as Leo Cherne has pointed out), the Cambodian revolution may be understood as the purest Communism on earth—so pure that it views all other forms of Communist rule as compromises with the goal of reshaping the human personality and building a completely new form of society.

It is true, as was often said during the war, that the Vietnamese Communists, like their Cambodian counterparts, are nationalists. But this does not mean that they have ceased to be Communists. Far from being subordinate to nationalism, and therefore inconsequential, Communism infuses nationalism with millennial purpose and terrifying power—power that can be used to destroy an entire nation, or to attack a neighbor, as the occasion demands. That is why neither the suffering nor the fighting in Indochina stopped when the Communists won the war. And it is also why the time has come to challenge the assumption left over from the anti-war movement that an attitude of benign indifference to the spread of Communism is perfectly acceptable from a moral as well as a political point of view.

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Can Democracy Defend Itself against Terrorism?

Joseph W. Bishop, Jr.

ON MARCH 17, the *Bregate Rosse* (Red Brigades), an Italian version (and probably an affiliate) of the German Baader-Meinhof gang, kidnapped Aldo Moro, five times Premier of Italy, and in cold blood murdered his five guards. Their immediate purpose was to extort the release of some fifteen of their fellow terrorists, who are on trial in Turin for an assortment of assassinations, kidnappings, bombings, and similar acts of vicious mischief. That trial, which the court has been attempting to conduct like an ordinary criminal case, has been bogged down for months, largely as a result of the intimidation of prospective jurors and defense counsel. (The accused want no counsel, preferring to defend themselves by disrupting the proceedings.) What the ultimate goals of the Red Brigades may be, other than an attempt to destroy Italy's existing polity (allegedly in the interest of a "proletariat" to which they do not belong and which has no use for them), is completely obscure, for in the taxonomy of terrorism they belong to the psychopathic variety. The other principal species, which may be termed the "politicals," exemplified by groups like the Irish Republican Army (IRA) and Al Fatah, is just as brutal but has more or less comprehensible political objectives.

The Italian government has already reacted with some emergency decrees. There will be mandatory life sentences for kidnappers who kill their victim and thirty years for others. The police and magistrates have been given power to order wiretaps without written authority, to question suspects without the presence of a lawyer, and to hold them for investigation for an extended period. The army has been called in. But I think it probable that other, more drastic, measures may be needed.

The Italian crisis presents in acute and dramatic form a fundamental problem: what legal measures can and should be taken to control terrorism when it becomes too much for the ordinary agencies and procedures of law enforcement? A goal of many terrorists is to provoke oppressive countermeasures, to deprive the government of popular support by turning it into a police state. The dilemma was best stated by Abraham Lincoln in 1864: "It has long been a grave question whether any government, not too strong for the liberties of its people, can be strong enough to maintain its existence in great emergencies." Lincoln's question is, of course, relevant only in democratic countries whose constitutions or traditions give the citizen a substantial measure of liberty, such as freedom of speech and the right not to be imprisoned or executed without due process of law. Political violence (unless committed or authorized by the state itself) seems hardly to exist in Russia or China, or any other despotism with an efficient and ruthless secret police, having nearly unlimited power to arrest, search, imprison, torture, and execute dissenters, real or suspected. But for such countries as the United States, Great Britain, Israel, Italy, and West Germany, there can be no more difficult problem than to decide how far the normal freedom of the citizen can be abridged in order to prevent the destruction of the lives and property of innocent people.

The United States does not at present have a terrorist problem so serious that it cannot be handled by the usual process of law enforcement. True, the FALN, the extremist faction of the Puerto Rican nationalist movement, has been responsible for a number of bombings and murders disproportionate to its minuscule membership, but the Weathermen seem to be extinct or moribund, and the Ku Klux Klan and neo-Nazis appear generally willing to content themselves with verbal violence. (But Reies Tijerina's Alianza Federal de Mercedes, which asserted the right of Mexican-Americans to rule large areas of the Southwest and which was far from nonviolent, is an example of a group with a grievance that could, with a little bit of bad luck, have become a formidable terrorist force.)

Although the Federal Republic of Germany has had enormous trouble with the Baader-Meinhof gang and its friends, it, too, has taken only such relatively moderate measures as making it illegal to be a member of a terrorist organization and controlling the physical contacts between imprisoned terrorists and their radical lawyers, who were strongly, and probably justly, suspected of acting as couriers between their clients and others still at

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large, and also of smuggling guns and other contraband into the prison.

On the other hand, the United Kingdom, the oldest and one of the most stable of the world's democracies, has been struggling for nearly a decade with a campaign of terrorism, amounting almost to an armed insurrection, in Northern Ireland (sometimes spilling over into England itself), which has so far cost more than 1,800 lives, mostly of innocent people, a corresponding amount of maiming and mutilation, and untold destruction of property—and all this in an area whose population does not much exceed a million and a half. In what follows, I propose to examine the legal measures which the British government has taken to control the IRA and its Protestant analogues, and to ask whether the British experience has any lessons for the United States, should we ever have to deal with similar violence.

ONE-THIRD of the people in Northern Ireland are Catholic and Celtic, the remainder almost entirely Protestant, descendants of settlers from England and Scotland. The animosity between the two communities is more than three centuries old, rancorous, and often (at least to the outsider) irrational. An American or even an Englishman may find it difficult to tell the two groups apart, but they seem to be able to identify each other at a glance. They generally live apart, in urban and rural areas that are solidly Catholic or Protestant.

Although at the start of the troubles in 1969 the province had on paper a democracy on the British model, in reality Ulster was a one-party state, in which the Unionist (Protestant) party invariably controlled the Parliament and the executive branch. The Catholics inevitably suffered from discrimination in employment, housing, and public services. They never had a chance to redress their grievances by turning the Unionists out of office. Unlike American blacks, they could not exercise electoral clout as a swing vote, for the Unionists were the only important Protestant party.

In the United States, the obvious alternative to violence in such circumstances would have been resort to litigation to enforce the minority's constitutional rights. In fact, although Northern Ireland differed from England in that it lacked a two-party system, it differed also in that it had what amounted to a constitution. The British Parliament's Government of Ireland Act of 1920, which created the government of Northern Ireland (commonly known as the "Stormont" government from its seat in Stormont Castle), contained a rudimentary bill of rights, which, *inter alia*, prohibited discrimination on the basis of religious belief and gave the courts (including the British House of Lords) power to invalidate any act of the Stormont Parliament which contravened those provisions. As in the United States, discriminatory action by the executive could have been voided either by a holding that there was no statutory authority for it or, if the statute was too explicit for such a construction, that it was repugnant to the Government of Ireland Act. Northern Ireland was in these respects fundamentally similar to an American state.

But the Catholics never made any serious effort to seek a judicial remedy. Although the IRA and its political branch, Sinn Fein, never had any interest in a peaceful solution, it remains something of a mystery to an American why others did not attempt to obtain legal redress from the courts. Perhaps the holding of the Supreme Court of the United States in *Marbury* v. *Madison*, that a law repugnant to the Constitution is void, is an exotic plant which did not take root in British (or Irish) legal soil. Or perhaps the Catholic failure to go to the courts was simply due to a lack of money or to a general distrust of the Unionist-appointed judges, although some of them were Catholic and most of them—certainly the House of Lords—appear to have been unbiased.

But whatever the reasons, in the absence of judicial intervention, the grievances of the Catholic third of the population continued. As a result, the gunmen and bombers of the IRA had the support, at least passive and sometimes active, of most of the province's Catholics. Moreover, like some other terrorist organizations, they got money and munitions from outside—not from the Republic of Ireland, which never backed and often jailed them, but from Irish-Americans. In fact, one reason for the current decline in the fortunes of the IRA may be the courageous stand taken against them by such important American politicians as Senators Kennedy and Moynihan, House Speaker O'Neill, and Governor Carey.

IN 1969, the IRA launched its campaign of terror, directed principally at the government and its Protestant supporters, but also against Catholics who favored a nonviolent solution. (To cite but one example among many, a prominent Catholic judge, Rory Conaghan, was murdered by the IRA, probably for the precise reason that he was trusted by the Catholics.) The violence was shortly augmented by the Ulster Freedom Fighters and other paramilitary Protestant organizations and complicated by occasional internecine strife within each of the two groups. The weapons employed were principally guns, bombs, Molotov cocktails, and even rockets. None of the terrorists was squeamish about indiscriminate death and destruction, such as planting bombs in department stores, hotels, and movie theaters, both in Northern Ireland itself and in England. The IRA, for example, killed several tourists in the Tower of London and twenty-one teenagers (plus many more seriously injured) with satchel charges planted in a couple of crowded Birmingham pubs. On February 17, 1978, the IRA

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proved that is was still alive by murdering a dozen people in the bombing of a restaurant near Belfast. In response to such violence, the British government sent troops into Northern Ireland in 1969, and assumed direct control over the province early in 1972.

The difficulties posed for the security forces (the local police and the British army), the prosecutors, and the courts were enormous. Ordinary powers of arrest, search, and seizure proved inadequate. For example, the law required that a police constable or soldier making an arrest, when there was no time to obtain a warrant, inform the suspect of the ground for the arrest and also of the precise legal authority for it. That was not easy for a young soldier who was not likely to be versed in criminal law, especially when the arrest took place in a sectarian stronghold, under a hail of rocks and bottles or even sniper fire. If a bomb or gun was found in a dwelling or vehicle occupied by two or more people, it was often impossible to prove beyond a reasonable doubt that any one of the occupants knew it was there. (In one case, when a revolver and ammunition were found in a bureau drawer in a room used by three brothers, an appellate court reversed the conviction of all three, on the ground that the evidence did not support a finding that it was in the possession of any particular one of the brothers, let alone all three.)

But the most difficult problem of all was that witnesses and jurors, even if they were not biased, were in thoroughly justified fear for their own lives and those of their families. Some witnesses brave enough to testify were murdered before they could take the stand, and it was generally impossible to give adequate protection, especially if (as was usually the case) witnesses lived in Catholic or Protestant ghettos. In fact, the only cases in which there was any hope of conviction were those in which the defendants had been arrested *in flagrante delicto*, so that the principal witnesses were members of the security forces, or where there was solid circumstantial evidence, like fingerprints or ballistic tests. Even in such cases, however, the jurors could not be trusted to bring in an honest verdict.

How could the British government cope with such a crisis of law enforcement? We may put aside for the moment constitutional problems, for England has no written constitution and no bill of rights. What Daniel Webster said in 1819 is still broadly true: "The British Parliament has that sovereign power, called omnipotent, which does not belong to any legislature in the United States." In effect this means that Her Majesty's Government can curtail the liberties of its subjects to whatever extent it thinks necessary and politically feasible. In considering extraordinary measures, the government is constrained only by tradition, its own moderation, and a reluctance to take action so drastic that public opinion would not tolerate it. Thus, in their efforts to restore order in Northern Ireland, the British could employ a wide variety of emergency procedures. What were they, how did the British make use of them, and to what effect?

Full-fledged martial law: complete delegation of authority to the military, including the power to try civilians by courts-martial or military commissions (a type of military tribunal that may have much looser rules of procedure and evidence than courts-martial). This was never seriously considered. Although martial law had often been invoked in the colonies and in Ireland in the last century and the first two decades of the present one, England has not known rule by the redcoats since Cromwell's time.

Internment: locking up suspected terrorists without trial for an indefinite period. At 4:30 A.M. on August 1, 1971, British soldiers, acting under the authority of the Stormont Special Powers Act of 1922, arrested 342 suspects and added another 648 by November. More than half were released within a few weeks or months. Since release meant not merely that there was insufficient evidence to support a criminal charge, but that the authorities were satisfied that the person arrested was probably *not* a terrorist, it may be suspected that they relied on information which was out-of-date or simply wrong.

The practice of internment continued for several years, at first under a British Order in Council after the takeover in 1972, and thereafter under the British Parliament's Northern Ireland (Emergency Provisions) Act of 1973, applicable only in Ulster. The population of the Maze Prison during this period ranged from 535 to 669. Since there were provisions for thorough administrative review of each case by experienced lawyers, it seems probable that most of those interned were genuine terrorists.

What effect internment had is hard to say, although it seemed intrinsically likely to a Royal Commission, which filed a report on the working of the Emergency Provisions Act in early 1975, that the removal from circulation of several hundred potential gunmen and bombers did prevent a good deal of violence. Yet by the end of 1975, the British concluded that the unpopularity of the program among the Catholics (and also among the Protestants, when their militants began to join the Catholics in the Maze), combined with the fact that other measures were showing results, outweighed whatever good it did. The practice of internment, or "detention," as the British preferred to call it, was thus ended in late 1975; the release of detainees did not in fact produce a dramatic increase in bombings and murders.

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Interrogation in depth. This is a euphemism for the third degree, applied not so much to obtain confessions which could be used in court as to extract intelligence on the IRA and its plans. A Royal Commission, headed by Sir Edward Compton, found that, after the initial roundup of 1971, the security forces had resorted in a "small number" of cases to "wall-standing" (requiring suspects to stand with their hands against a wall for periods of several hours), "hooding" (covering suspects' heads with black pillowcases), continuous loud noise in the cells, and bread-and-water diets. The Compton Commission concluded that these rough techniques did, in fact, produce some useful information, which probably forestalled some acts of violence. Still another Royal Commission, the Parker Committee, grappled unsuccessfully with the morality of harsh treatment of suspected terrorists (though such methods as the British did employ would have been regarded by the KGB as practically coddling) in order to save innocent lives. Lord Parker and one of his two colleagues thought that the idea that a civilized society should never use such techniques as wall-standing in order to save innocent lives was "unrealistic . . . and unfair both to the state and to law-abiding citizens."

But whatever the moral justification for "interrogation in depth," there was no legal authority for it; it amounted to criminal assault. (Most of the victims recovered substantial damages from the Crown.) The practices were abandoned before the first report was published, and there is no credible evidence that they have been used since 1971.

Arrest and search. The 1973 Act permits a soldier on duty to arrest and detain, for a period of up to four hours, anyone whom he suspects of having committed, or of being about to commit, an offense; this may be done without a warrant or any explanation more complicated than that he is "effecting the arrest as a member of Her Majesty's forces." This has made life somewhat easier for the troops and has not generated much controversy. Similarly, the Act allows warrantless search for and seizure of arms, ammunition, and explosives by both police and soldiers, and permits them to stop and question for the purpose of establishing identity, even when there is no particular reason to believe that the person stopped is a terrorist.

New crimes. The 1973 Act, like its predecessor, the 1922 Stormont Special Powers Act, makes it a crime, punishable by five years' imprisonment, to be a member of a "proscribed organization," meaning one which the Minister for Northern Ireland has found advocates the use of violence. Essentially, the crime of "membership" was aimed at the command and staff of the IRA and similar Protestant groups. It is easier to prove than the old crime of conspiracy.

Relaxation of the rules of procedure and evidence in criminal trials. One way to lessen the need for internment is to make it easier to convict terrorists in court with something like due process of law. The 1973 Act created "Diplock courts" (after the Royal Commission headed by Lord Diplock on whose recommendations the Act was based) which can try "scheduled offenses" without a jury when the Director of Public Prosecutions finds that a fair trial probably could not be had in the ordinary way. This disposed of the problem of biased or intimidated jurors (the judges are easier to protect) but did not remove the difficulty of producing evidence sufficient to convict. Therefore, the proof of one of the commonest terrorist offenses, unlawful possession of arms and explosives, was simplified: when such contraband was found in premises or vehicles occupied by two or more people, each of them was to be deemed guilty unless he could satisfy the court that he neither knew nor had reason to suspect that the contraband was there. This, of course, was a radical departure from the usual rule that the prosecution has the burden of proving all the elements of an offense beyond a reasonable doubt.

The Diplock Commission also recommended substantial modification of the "Judges Rules," something like the rules laid down by the U.S. Supreme Court in *Miranda* v. *Arizona*, which strictly limit the admissibility of self-incriminating statements made in police custody. The Act allows such a statemnt to be given in evidence "unless it is proved by a balance of probabilities that it was obtained by subjecting the accused to torture or to inhuman or degrading treatment." Confessions obtained by threat of torture, and evidence obtained from others by such methods, were not mentioned. Not only did this section arouse the wrath of civil libertarians, it seems to have served no useful purpose. To the best of my knowledge, no terrorist has been convicted on the strength of his own admissions.

Another, much less controversial, change in the rules of evidence relaxed the limitation on hearsay evidence by permitting the introduction of depositions made by witnesses who, before the trial, had died or vanished. This change was based on a case in which a witness had been murdered after making such a deposition, but it too seems not to have been used.

In general, however, Diplock courts have proved effective. In three years, the number of convictions for terrorist crimes tripled, and the number of bombings, shootings, and deaths declined by about a third. Obviously, other factors, such as the increasing experience and efficiency of the security forces, may have contributed to the improvement; but there is little doubt that Diplock courts have

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done what they were intended to do, and made possible the end of internment.

Severe punishments, including death. The penal laws of Northern Ireland authorized long terms of imprisonment, up to life, for serious terrorist offenses, and death for "capital murder," although no terrorist had actually been executed. In England the death penalty was abolished years ago, and the very first section of the 1973 Emergency Provisions Act provided that no one should suffer death for murder. Here, however, the members of Parliament clearly differed from their constituents; a Harris poll in 1975 showed that almost 90 per cent of the British public believed that hanging has a salutary effect on terrorist murderers and ought to be given a try. I am of the opinion that on this issue the politicians were wrong and the people right. The arguments for and against capital punishment for ordinary murders are not wholly in point, for terrorists are not ordinary murderers. For one thing, imprisonment is a less effective deterrent for them than for common criminals. Most of them firmly believe that their cause must triumph and that they will be freed the moment it does, or that they will be returned to action as soon as their friends can extort their release by kidnapping hostages or hijacking an airplane. Thus, execution is the only way to make certain that *that* terrorist will not kill again. I would not argue that death ought to be mandatory for every terrorist murderer, only that it ought to be available when the circumstances call for it. Arguments based on compassion for the criminal are not appealing when they are applied to the "hard men" of the IRA and their ilk in other countries.

Censorship. The Stormont Special Powers Act of 1922, which was superseded by the British legislation of 1973, gave the government broad powers to censor, and even close down, publications which it thought were spreading disaffection and disloyalty. No such powers were granted by the 1973 Act. Still another Royal Commission, chaired by Lord Gardiner, whose task was to see how that Act had worked and to consider whether amendments were needed, made its report in 1975. It considered complaints (common to all countries suffering from the depredations of terrorists) about the media treatment of terrorism, and censured the press and television for giving the terrorists' propaganda excessive space and for sensational reporting which gave them a "spurious glamor." The Commission confined itself, however, to exhortation, concluding that "there can be no question of introducing censorship into a free society in time of peace." The presumption against limiting freedom of speech and the press is of the strongest, and, at least in Northern Ireland, there were no circumstances sufficient to overcome it. (But restriction on the dissemination of manuals on guerrilla tactics and the construction of bombs, if it is "censorship" at all, seems justified.)

In addition to all of the above, the British have also imposed other, less drastic, restrictions on normal freedom, such as temporary curfews and the regulation or prohibition of demonstrations and parades likely to lead to breach of the peace and riot. There are as well statutes applicable in England itself, such as the Prevention of Terrorism (Temporary Provisions) Act of 1974, which not only makes it an offense to be a member of a "proscribed organization" (a category which includes only the IRA), but authorizes the arrest and deportation (but not the internment) of such persons if they are not citizens or residents of England. Only a dozen or so deportation orders have been issued under it.

ALONG with this summary of the principal emergency measures available to the British and how they employed them, there is another question which must be discussed in connection with British actions in Northern Ireland: the problem of the abuse of power. The grant of broad emergency powers necessarily creates the danger that they will be abused, as they were in 1971. This is a job for the judges, and on the whole the judges of Northern Ireland did grant relief when the victims went to court. But the courts played a much smaller part than American courts would have played. The House of Lords cannot hold an Act of Parliament unconstitutional, and no British judge since Coke has claimed the power to strike down an Act of Parliament because it violated the common law. But, like American courts, their lordships, when so inclined, can find ways to hold that Parliament has not authorized what the government is doing—i.e., that its action is "*ultra vires*" (beyond the powers conferred), either because the emergency in which the statute permits those powers to be used does not in fact exist, or, if there is an emergency, that the government's action goes beyond what is necessary to deal with it. In practice, however, this has rarely been done. The House of Lords held that the Stormont government had not exceeded its powers under the old Special Powers Act when it added "republican clubs" to the list of proscribed organizations, regardless of whether there was any evidence that a particular club advocated violence—although two of the five judges entered strong dissents. (Since the takeover, the British have banned only notoriously violent organizations like the IRA and the Ulster Freedom Fighters.)

But abuse of power can occur at a level lower than that of the government—in connection with the authority given to the police and especially to the army to shoot to kill. The Ministry of Defense

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has issued to every soldier serving in Ulster a "Yellow Card" containing rather complex instructions on the circumstances in which lethal force can be used. In essence, the troops are empowered to shoot to kill only when necessary to prevent death or serious bodily injury to themselves or to people whom it is their duty to protect. They cannot shoot to kill to effect arrests, to prevent less serious acts of violence, or to protect property.

These limits are stricter than those the law imposes; the common law, both in England and America, is that troops can use as much force as is necessary to carry out their duties, including the making of a lawful arrest for any kind of felony. Thus, a soldier whose use of his rifle is not authorized by the Yellow Card would be guilty of the military offense of disobeying orders but might nonetheless have a defense against charges of murder, manslaughter, or assault. But even when such incidents are thoroughly investigated and prosecuted (which has often not been the case), they present formidable difficulties of proof.

THE problem is best stated by describing a typical case. A corporal, leading a seven-man patrol in a Catholic neighborhood after midnight, fired a shot up an unlighted street which killed a twelve-year-old boy at the end of the street. These were the only undisputed facts; there was no circumstantial evidence one way or the other. The corporal's defense was that he acted to protect himself and his men. All the soldiers swore that immediately before he fired, a shot had come from the place where the boy was standing. All the civilian witnesses swore that there was no such shot and that the boy had no weapon. No gun was found, but it might have been taken away before the troops reached the spot. In Ulster, it is far from incredible that a child of twelve would have a gun and use it on British soldiers. A court-martial or a Protestant jury would have acquitted immediately, a Catholic jury would have convicted just as promptly.

This case, like other such cases, was tried by a Diplock court, without a jury. The trial judge found that while some of the civilian witnesses were probably lying, others were more credible than the soldiers. But the court of criminal appeal quashed the conviction, essentially on the ground that in a case "so finely balanced," the evidence did not prove manslaughter beyond a reasonable doubt. The acquittal, like that in a second similar case, was seen by the Catholics as a miscarriage of justice, just as conviction would have outraged the army and the Protestants. I do not myself know the answer to the problem of punishing members of the security forces who commit excesses, for bias is inevitably strong where terrorism is concerned. About all that can be said is that an experienced civilian judge is more likely to do justice than a jury or a court-martial.

WHAT I have described thus far is one democracy's reaction to organized terrorism and some of the problems this reaction has provoked. Were the results worth the considerable derogations of civil freedom? I think the answer must be yes. As noted above, the number of shootings and bombings dropped very substantially after passage of the Emergency Provisions Act. The annual number of deaths declined from 482 in 1972, the worst year, to 296 in 1976, and 111 as of December 21, 1977, the lowest since the troubles began. Some part of the improvement is no doubt due to the fact that both Catholics and Protestants are growing sick of their own militants (and more willing to inform on them), but there is little doubt that the government's legal measures helped greatly.

Obviously, not all these measures would be appropriate for every kind of terrorism. For example, where terrorists have no popular support, the problem of biased witnesses and jurors is not so great, or it takes the form of a danger of unjust conviction. (Intimidation, however, is always a problem.) Radical defense lawyers have not presented the dilemma in Northern Ireland that they have in the Federal Republic of Germany. Extraordinary measures to deal with terrorism must, of course, always be tailored to the particular situation.

Which brings me to the last question: which of the British government's emergency measures could and should be taken if there were a similar crisis in the United States? Would they be constitutional? On many occasions in our history, state and federal governments have resorted to military force to control domestic violence, most recently during the urban riots of the late 60's. Governors and sometimes Presidents have drastically curtailed civil liberties, with and without legislative authority. Our closest approach to a situation like the one in Ulster was that which existed during the Civil War in areas like Southern Illinois and Indiana, where Copperheads were numerous, active, and likely to be on any jury. Lincoln and Stanton resorted to internment (i.e., confinement in military prisons without charges or trial) and trial by military commissions. (The last and most famous of such trials was that in which several of those who had conspired to assassinate Lincoln were sentenced to death.) Lincoln suspended the writ of habeas corpus in the cases of persons detained by military authority, at first as an exercise of his own constitutional power and after 1863 with the authority of Congress. The most drastic and least justified abrogation of civil rights in our history was the World War II deportation and internment of Japanese-Americans living on the West Coast, under an executive order of President Roosevelt which was shortly ratified by an Act of Congress.

The salient difference between American and

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British law is, of course, our Constitution, and the doctrine that a law repugnant to the Constitution (i.e., to a majority of the Supreme Court) is void. The Constitution empowers Congress "to provide for calling forth the Militia [today better known as the National Guard] to execute the Laws of the Union, suppress Insurrections, and repel Invasions"; the President "shall take Care that the Laws be faithfully executed," which may sometimes require the use of regulars, as well as the National Guard, as in Little Rock in 1957. "The United States shall guarantee to every State in the Union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened), against domestic Violence." But "the Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the Public Safety may require it."

The Bill of Rights guarantees, *inter alia,* freedom of speech, the press, and association; freedom from unreasonable search and seizure; the right to grand-jury indictment and jury trial for serious offenses; the right not to be compelled to incriminate oneself and not to be deprived of life, liberty, or property without "due process of law," including the assistance of counsel. The Fourteenth Amendment adds, "nor shall any State deprive any person of life, liberty, or property without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws." The Supreme Court has in recent decades held that the Fourteenth Amendment incorporates, and makes applicable to action by state governments, most of the Bill of Rights.

UNDOUBTEDLY the British remedies for terrorism—in particular internment, juryless trials, relaxation of the rules of evidence and burden of proof, making a crime of membership in particular associations—would raise the gravest constitutional issues. Those issues could not be taken away from the courts by suspending the writ of habeas corpus, unless violence rose to such a level that it could be called a "rebellion." It is true that under the Constitution, the Supreme Court has jurisdiction "with such Exceptions and under such Regulations as the Congress shall make." Once, shortly after the Civil War, Congress actually did deprive the Court of jurisdiction to review convictions by the military courts which were trying civilians in the states of the late Confederacy, and the Court thought it prudent to acquiesce. But things would have to be very bad indeed before Congress would consider provoking so great a constitutional crisis.

The fact is, however, that the Court has never treated the commands and prohibitions of the Bill of Rights as categorical, and has usually been slow to invalidate the actions of the President in a real emergency, particularly when he has had the authority of Congress. It did not interfere with Lincoln during the Civil War. When the last army of the Confederacy surrendered, and Lincoln's assassins had been hanged, a majority held in *Ex parte Milligan* that Congress (and *a fortiori* the President) could not authorize the trial of a civilian (Milligan was a Copperhead who had been plotting a pro-Confederate insurrection in Indiana and Illinois) by a military court, so long as the civil courts were "open." But in 1942, in a case called *Ex parte Quirin,* the Court upheld Roosevelt's order that eight Nazi saboteurs (all of them civilians and one an American citizen) be tried by a military commission, although the civilian courts were of course open. The Court similarly upheld the deportation and internment of Japanese-Americans.

Congress has armed the President with the broadest imaginable power to do what he thinks necessary, including using the armed forces, in domestic crises. The most sweeping of these statutes, based on the so-called Ku Klux Klan Act of 1871, empowers him "by using the militia or the armed forces, or both, *or by any other means,* [to] take such measures as he considers necessary to suppress, in a state, any insurrection, domestic violence, unlawful combination, or conspiracy" if it so hinders the execution of law that people are being deprived of their legal and constitutional rights (as by being murdered) and the state authorities are unable or unwilling to enforce the law. If that statute, including the words "or by any other means," is constitutional, it would seem to authorize every step taken by the British in Northern Ireland, and maybe more. In fact, although Presidents have used it fairly frequently, they have not gone beyond sending in the troops to control riots, in effect as auxiliary police. It has never been tested in the courts, and its extreme reach is still unknown.

Internment is probably constitutional *if* the Court finds that there is a real emergency and that it is not feasible to lock up terrorists by the ordinary criminal process. A famous opinion by Justice Holmes upheld the power of a state governor to intern without trial a man suspected of organizing large-scale violence. The two leading holdings that civilians cannot be tried by military courts when the civilian courts are open (*Milligan* and *Duncan* v. *Kahanamoku,* the latter a decision by Justice Black immediately after World War II) emphasized that they did not affect what Black called "the power of the military simply to arrest and detain civilians interfering with a necessary military function at a time of turbulence and danger from insurrection or war."

It will be noted that all of these cases involved *military action of one sort or another.* Although neither the United States nor any state has ever tried anything like Diplock courts, they might be

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constitutional. They are not military and therefore may not be within the strictures of the *Milligan* and *Duncan* decisions, and a federal judge, though sitting without a jury and without some of the more restrictive rules of evidence, seems to represent less of a departure from normal due process than does a military commission.

But this does not mean that the discretion of the President and Congress, or of a state governor and legislature, in what they claim is an emergency, is unfettered. If that were so, constitutional protections would mean no more than they do in Soviet Russia. State governors have often issued bogus proclamations of martial law when in truth there was no emergency requiring any unusual type of law enforcement. I can imagine Presidents who might do the same; we cannot count on a Lincoln in the White House whenever some sort of violence flares up.

In the last analysis, only the courts, especially the Supreme Court, can guard against abuses of discretion. They have several times done so when state governors went too far. Chief Justice Hughes, invalidating a particularly bogus declaration of martial law by the governor of Texas, said: "What are the allowable limits of military discretion, and whether they have been overstepped in a particular case, are judicial questions." The principle seems quite as applicable to the question of civilian discretion. It means, in a nutshell, that the Court must be satisfied that there *is* an emergency, that it cannot be dealt with by the ordinary process of law enforcement, and that the derogations from normal rights are the minimum necessary to maintain law and order.

The Supreme Court has not been disposed to confine the other two branches of government when war or some other great crisis actually exists. I think that the Constitution (which, as Justice Jackson once observed, is not a suicide pact) would permit whatever was really necessary, but there must be limits, and if Congress and the President do not stay within them, only the Court can set them.

In this country, an oppressed minority has a better chance of curing the oppression by peaceful means than the Catholics had in Northern Ireland. But some people see as oppression laws which neither the majority of the people nor the courts would see in that light, and many terrorists love death and destruction for their own sake. I hope my speculations will remain academic, but there can be no certainty that they will. Meanwhile, there can be no harm, and there may be some good, in thinking about the problem. If we do, we are less likely to resort to panic measures in an actual emergency.

One of the Italian Communist party's principal arguments for power is that *they* know how to deal with terrorists. And, indeed, I think it likely that the Red Brigades would not last a week under a Communist regime. The secret police would exterminate or incarcerate them, along with a lot of innocent dissenters. Fortunately, there are alternative methods.

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From Moscow to Jerusalem –and Points West

Maurice Friedberg

"You're a strange fellow," a recent Jewish immigrant from the Soviet Union to Israel observed half-jokingly to me at a gathering in Jerusalem. "You speak Russian as if you were one of us, your Yiddish is that of a *Galitzianer* rabbi, yet you're taking notes in English and you teach at an American university." Thus began my month-long visit to Israel and Western Europe in the company of Russian and Jewish émigré intellectuals, most of whom had been well-known in Russia either for their professional accomplishments or for their rebellion against a Soviet bureaucracy which had allowed them neither to live in peace nor to emigrate.

The distinction between "Russian" and "Jewish" is of some importance here, if only because Soviet authorities insist on maintaining the fiction that anyone who chooses to leave the USSR must be both a Zionist and a Jew. Only a Jewish Zionist, they seem to be saying, would openly declare his preference for a life of exile and uncertainty over the happy existence of a Soviet intellectual. This pretense was observed even in the case of several Russian Orthodox leaders who were forced to leave Russia a few years ago—in effect, deported abroad, as Solzhenitsyn was in 1974. Needless to say, these Russian priests did not regard themselves as Jews and had no intention of settling in the Jewish homeland, any more than did a number of other *de facto* deportees I was to meet later on in Paris, some of whom came from very old Russian families, and bore names that had been made famous in the novels of Tolstoy.

While exit visas are occasionally issued to non-Jews as well as to Jews, Soviet bureaucrats clearly prefer some semblance of authenticity. Most commonly, this takes the form of a *vyzov*—an invitation from an alleged relative of the applicant, real or fictitious, to join him in Israel. The submission of a *vyzov* is of course no guarantee that the applicant will get his visa; it merely sets in motion certain bureaucratic processes that *may*, if he is lucky, ultimately bring about that result. If he is not lucky, it may lead to a Kafkaesque situation wherein the applicant's request is turned down—say, on grounds of his having had access to "classified" information while serving in the army years ago—while the "crime" of having applied brings about a series of retributions—loss of job, expulsion from school, etc.

Nevertheless, in spite of the risks involved, the number of applications for exit visas continues to grow. For some, the reasons for wishing to leave are "positive"—bona-fide Zionism, or a genuine desire to join relatives in other countries. Others entertain rather unrealistic notions about the economic opportunities awaiting them in the West, and still others wish to pursue academic or literary careers in countries where there is no anti-Semitism and no government censorship. Finally, there are those who are driven by a purely "negative" impulse, the desire to leave the USSR at all costs, whatever the ultimate destination or the ultimate consequences. In all cases, some form of bureaucratically acceptable documentary evidence of Jewish origins—a parody, as it were, of the Nazi Nuremberg laws—is said to be helpful in winning permission to leave. Two jokes in this connection come to mind. The first is of recent vintage: "A Jewish wife is not a luxury. It is a means of transportation." The second is a Russian rabbi's alleged comment on the Trotsky-Stalin polemic of half a century ago: "One *can* build socialism in one country, but one should then live in another country."

Whatever the motives of the émigrés, the campaign on behalf of Soviet Russia's Jews that was launched in the West in the 60's, coupled with their own often recklessly courageous struggle, has to date brought about the departure from the USSR of over 150,000 people. (Some two-and-a-half million Jews still remain in the USSR.) To a Westerner, the figure may not look very impressive, but when it is viewed against the backdrop of the very real iron curtain that for decades prevented any emigration whatsoever from the USSR—and continues to do so—an exodus of this magnitude must be seen as near-miraculous. I am certain that it will some day be viewed in this light by students of Soviet history.

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Jerusalem during my stay was still under the spell of President Sadat's visit. Bookstores and kiosks were filled with photograph albums and other souvenirs commemorating the event; newsstands seemed more crammed than is usual even in this obsessively literate country. Some of the newspapers and magazines on display were familiar to me from earlier visits, including quite

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a few in languages other than Hebrew, but I was unprepared for the many new publications in Russian, and one in the exotic script of Soviet Georgia.

Even more impressive than the quantity of Russian-language publications now appearing in Israel is their diversity. There are, for example, not one but two serious literary monthlies modeled on the "thick" journals that have played so large a role in Russia's intellectual history. The first, *Vremya i my* ("We and the Times"), is edited by Viktor Perelman, formerly a staff writer for the Moscow *Literaturnaya gazeta*, and attempts to fill the role of a highbrow journal along the lines of émigré Russian periodicals like *Kontinent*, published in Paris, or *Novy zhurnal*, published in New York. *Vremya i my* contains articles, essays, and stories by Russian authors living in America and Western Europe, as well as *samizdat* writings and translations of older works which are banned in the Soviet Union, like Huxley's *Brave New World*. The second of the two literary journals is the monthly *Sion*, currently edited by Rafael Nudelman. This, by contrast, is emphatically Jewish in orientation and, in its combination of original Russian material with translations from other languages, compares favorably with the better Jewish journals being published elsewhere in the world.

Among the other Russian-language publications deserving of mention are *Vozrozhdenie* ("Renaissance") and *Menorah*; both attempt to introduce Russian-speaking immigrants in Israel to the Jewish religious tradition, which is in most cases totally alien to them. Interestingly enough, there are also a number of new Russian weeklies of a kind which in more innocent days would have been called off-color, if not downright pornographic. But on second thought, this is perhaps not so odd as it seems. In an important essay published a few years ago in *Kontinent*, Andrei Sinyavsky (Abram Tertz) pointed out that the two main taboos in contemporary Soviet literature are sex and the Jews. Small wonder, then, that these two subjects should have surfaced simultaneously, so to speak, in Israel and elsewhere.

* * *

NEWS has been received in Jerusalem of the sudden death in Paris of Alexander Galich. Galich, who started out as a conventional enough Soviet playwright, changed after Stalin's death and became the troubadour of the dissident movement. At social gatherings of the disaffected in Russia in the 60's and early 70's, scratchy tape recordings of his songs satirizing the absurdities of Soviet existence were almost as obligatory as vodka, sausage, and sour pickles. True, the Soviet "Jewish Jews"—to reverse the late Isaac Deutscher's notorious label—never quite forgave Galich his conversion to Russian Orthodoxy, yet even they could not but be grateful to the man who ridiculed official anti-Semitism and composed an unforgettable ballad in which a much-decorated Soviet worker is studdenly roused from the alcoholic stupor of a Sunday morning and ordered to speak at a "spontaneous" rally denouncing "Israeli aggression." The worker's "off-the-cuff" remarks have, of course, been written out for him in advance, but he is given the wrong piece of paper, and in his deep bass voice proceeds to denounce "Israeli militarism" as "both a woman and a mother." Galich was in effect deported from the USSR in 1974, but never lost his belief that he would soon be allowed to return. There is some irony in the fact that the untimely death of this iconoclastic poet and Jewish apostate was probably more widely mourned in Israel than anywhere else.

* * *

THE infinitely complex question of "who is a Jew" continues to bedevil Israel's rabbinic and secular courts. It is a question that is utterly baffling to Soviet Jews newly arrived in Israel. In the USSR, Jews are considered an ethnic group, not a religious denomination, so that it is possible to be a Jew and at the same time to profess the Russian Orthodox faith. In fact, a substantial number of Soviet Jews in recent decades have been attracted to Christianity. As Boris Pasternak, who was one such Jew, wrote in *Doctor Zhivago*, the teachings of Communism do not address the problem of the immortality of the soul and therefore cannot quench the thirst for religion. But Judaism did not offer such people a viable religious alternative; most Soviet Jews were utterly ignorant of it. Not a single scholarly or even factual book about Judaism has ever been published under the Soviet regime (though there has been no lack of scurrilous attacks), and hardly anything published on this subject before 1917 is available today, either in libraries or second-hand bookshops. Moreover, for reasons that do not require elaboration, religious thought in Russia today is about a century or so behind the rest of Europe. One woman I met among the Russian émigrés explained her conversion to me by saying that Christianity was a ticket to world culture. She seemed utterly unaware that such a notion had ever been entertained before, let alone that it had been common currency a hundred and fifty years ago. Finally, the concept of religious pluralism—or, for that matter, any other kind of pluralism—is quite alien to Russian experience, and is rather rare even in the tradition of nonconformist Russian thought. When a former nonbeliever suddenly acquires religion, therefore, he tends to acquire the one nearest to hand—Eastern Orthodoxy.

The spiritual confusion of new arrivals from the USSR is further compounded by what seems to them a bewildering variety of mutually contradictory modes of behavior and religious observance in Israel, each claiming to be authentically Jewish. The wide range of religious practice in such matters as the observance of the Sabbath or the laws of *kashrut* is only the tip of the iceberg; there is also a more basic confusion over what is religious and what is secular. Thus, Russian immigrants have been genuinely surprised to discover that New Year's eve is not celebrated in Israel; in Russia, it is one of the few national festivals still observed in the old manner—with presents,

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gaily decorated trees, a Santa Claus figure known as Father Frost, etc. —and considered devoid of any religious significance. The new arrivals are puzzled when their own desire to celebrate what is called in Israel *Ha-Silvester* meets with disapproval on the part of more observant Israelis.

The puzzlement becomes even greater when they begin to learn of such refinements as the existence—at least in the United States—of Conservative and Reform as well as Orthodox Judaism. I suspect that my stories of American rabbis who travel on the Sabbath and eat non-kosher food were simply not believed. Indeed, the situation of the American Jewish community is altogether rather mystifying to the Russians, who cannot quite comprehend the idea of a minority voluntarily withstanding the pressure to assimilate, and maintaining its separate identity in a generally tolerant and democratic non-Jewish environment. Over and over again I was asked questions like, "Do they force your children to attend a Hebrew school?" or "Why would an intellectual, and one not overly observant at that, insist on remaining Jewish?" Those who had seen copies of COMMENTARY were genuinely perplexed by it. If it is a "Jewish" journal, why does it publish articles on non-Jewish subjects? And if it is read by non-Jews, could such readers conceivably be interested in articles on Jewish affairs? The fact that quite a number of COMMENTARY's contributors—to say nothing of its readers—are actually not Jewish was a source of astonishment. Born and reared in a Soviet society, many of the new immigrants to Israel unconsciously accept the Soviet claim that a minority *must* assimilate, and that language is the only legitimate barrier separating different cultural groups.

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A FEW Russian friends took me along to the Russian New Year's ball in Tel Aviv. The ball was Russian only in the sense that almost all of the several hundred guests were recent arrivals from the USSR; the entertainment, however, was "international." It included two rather tame Swedish strippers and an Israeli comedian performing in Hebrew. To my surprise, the comedian, obviously the star of the evening, got across extremely well. The audience laughed and applauded in all the right places, and there was a good deal of repartee between audience and performers —all of it in Hebrew.

Considering that most of those present had been in Israel no more than four or five years, this was quite impressive. One man at our table, a tailor by trade who only four years before had still been a Soviet citizen, kept me spellbound as he let loose upon the waiter a barrage of Hebrew epithets interlaced with authentic Arabic obscenities. Later that night, in a private apartment, the conversation resumed in Russian. It was the elegant Russian of contemporary Leningrad intellectuals, yet the talk was somehow reminiscent of 19th-century Russian novels, with the traditional French interpolations now in Hebrew. The apartment, again to my surprise, was rather spacious and comfortable by Israeli standards, as were those of the several dozen other Soviet immigrants I visited.

In general, Russian immigrants in Israel seem better housed than their fellow immigrants who have settled in the U.S., and the same holds true of jobs. Though there must be some, I myself met not a single Soviet intellectual working at a job he would consider humiliating (the Soviet Union may well be the most status-conscious society on earth), although many were forced to content themselves with positions that were far less prestigious than the ones they had held in the USSR. (Had they remained, however, their children could not have achieved a status comparable to their own, let alone a higher one, given the present discrimination against Jews seeking admission to Soviet universities.) More than a few of the immigrants I met owned automobiles—in the USSR, still a luxury—and nearly all displayed a set of bookshelves crammed with Russian books. For an uprooted émigré, whose command of the language, literature, and history of his adoptive country must necessarily be inadequate, such tangible proof of education, taste, and culture is of paramount importance.

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IT is hardly news that in Israel everyone knows everyone else, or at the very least, knows *of* him. Not infrequently this sense of belonging to an extended family reaches even beyond the country's frontiers, so I was not surprised during my visit to run across an expatriate Canadian with an Iraqi wife whom I had once met at an American Midwestern university. He promptly invited me to a reunion of his platoon from the Yom Kippur War. Few of those present were actually born in Israel, though most had come to the country as young children from places like Morocco, Egypt, Syria, and France. There were also several new immigrants who had arrived from the Soviet Union in 1972 and 1973, just a few months before the war broke out. That evening, the conversation was all in Hebrew, and grew rather subdued as comrades were brought to mind who had been killed in the war. As the coffee was being served, a young Moroccan asked one of the Russians present to sing a song he had taught them during the war, when they were all encamped along the banks of the Suez. The haunting Russian melody turned out to be familiar to all, even if the words were not. Still, there was no mistaking these young men and women for an International Brigade. They were all Israelis now.

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BEFORE my visit, I had more or less assumed that the Soviet Jews in whom I was personally most interested—scholars, critics, translators, and other literary people—would be, if not totally unemployed, then at least among the less successfully integrated immigrants from the USSR. This turned out, gratifyingly enough, not to be the case. A number were staff members of the burgeoning Russian press, several were working in the Russian section of the Israel broadcasting service, and others had been commissioned to translate Russian texts

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for Western publishers. The Russian influx seems to have stirred up something of a cultural explosion. The departments of Soviet and East European studies at Israeli universities are now among the most highly regarded in the West, ranking behind only one or two European countries and, of course, Canada and the United States; immigrant Soviet literary scholars have just launched a new journal, *Slavica Hierosolymitana*; several Israeli Soviet authors have had their books translated abroad into English and other Western languages, and at least one has had a play produced in America.

There has also been an upsurge of interest in the Russian Jewish heritage. Soviet literary critics now living in Israel have been reexamining the legacy of the major Russian Jewish authors and searching out the Jewish elements that Soviet criticism has naturally suppressed. Most surprisingly of all, translators *into* Russian are also finding occasional employment, thanks to ventures like the government-supported publishing house, *Biblioteka Aliya*, which brings out Russian translations of works ranging from Jewish history and Zionist classics to modern Hebrew literature and works by such American Jewish novelists as Bellow, Malamud, Roth, and Wouk. But perhaps the proudest of all these cross-cultural achievements was that of a former Russian translator of French and Spanish I ran across who had already learned enough Hebrew to have started on new renditions into Russian of selected books of the Bible.

* * *

THE definition of an émigré, I was told, is a man who has lost everything but his foreign accent. The definition is painfully applicable to the new arrivals from the USSR whom I met in Western Europe on my way home from Israel, and true as well of Soviet immigrants to the United States. In Israel, at least in theory, and sometimes also in practice, Soviet immigrants are welcomed as long-lost relatives. By contrast, those who arrive in Italy, France, and other European countries are regarded as slightly undesirable foreigners who have been generously accorded the privilege of a transit visa.

Even in America, Soviet immigrants discover soon after their arrival that their presence is welcomed, if at all, only by a segment of the Jewish community; other groups are either indifferent or decidedly unfriendly to them. (The influx of Soviet refugees is openly resented, for example, by graduate students of Russian and other budding Soviet-area specialists with whom the newcomers are competing for the few academic jobs now available.) This situation will probably change for the better. In the United States, some new arrivals from the USSR have already succeeded admirably in adjusting to conditions, and the rest will no doubt do so soon enough. In the meantime, however, a great many Russian immigrants are working at unskilled jobs, living in slum neighborhoods, and in many cases finding their American surroundings puzzling and forbidding.

But it is not only the Russians who have been disappointed. Many American Jews, expecting their Russian brethren to be picturesque (if slightly updated) types out of *Fiddler on the Roof* or, at the other extreme, heroic freedom fighters against Soviet tyranny, are nonplussed upon meeting them to find fellow Jews who do not speak Yiddish or "act Jewish," who are often completely alienated from Jewish traditions, and who make improbable demands upon local Jewish welfare organizations, believing them to be government agencies on the Soviet model, with unlimited powers and unlimited resources at their disposal.

Perhaps the most pathetic aspect of Soviet émigré existence in the West is its vicious in-fighting, typical of any émigré milieu but much aggravated in this instance by the conditions of a Soviet upbringing, with its all-pervasive suspicion and intolerance. Nearly a century ago Chekhov observed that before one can become a free man, the slave within oneself must be squeezed out slowly, drop by drop. How much more difficult must this process of self-liberation be for people who throughout their childhoods were offered models to emulate like the Soviet schoolboy, Pavlik Morozov, who denounced his own father to the police, and who had drummed into their heads the aphorism of Maxim Gorki, "If the enemy does not surrender, he must be destroyed." And how painful the adjustment to a democratic society must be for people who were taught in their childhood that *kompromis* is a bad word (as is its near-synonym, *opportunizm*) and who, not that long ago, were still being ordered to believe that peaceful coexistence must *never* extend to the realm of ideology.

The results of this upbringing are abundantly evident in émigré circles. Petty disagreements are blown up to a point where contact becomes impossible; gossip and character assassination flourish on a scale and with an intensity shocking even to hardened American academics. The gossip has a large component of political paranoia. If so-and-so was in fact as important as he claims to have been in the USSR—so runs a typical piece of backbiting—then he must have been a KGB agent *and may still be one to this day*. If a fellow refugee happens to change his behavior in any way—if, for example, he suddenly begins to attend synagogue services when he was not known to have been observant in the USSR—he is instantly defined as a base and despicable opportunist. Differences of opinion on virtually any subject are viewed, as a matter of course, with undisguised hostility and contempt; the notion of an honest difference of opinion simply does not exist. Time and again one hears of Soviet refugees calling on American and Israeli authorities to suppress some publication or radio program or film because it propagates views *known* to be inimical to the public interest. These are all survivals of the Soviet mentality, and such ingrained habits of mind change infinitely more slowly than conscious political views. Yet this too should not really come as a surprise. It took forty years of wandering in the desert before the ancient Israelites were deemed spiritually

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ready to enter the Promised Land; today's Exodus from the Soviet Union has just barely begun.

* * *

RELOCATION to another country is inevitably accompanied by a feeling of loss. It is not only family and friends who are left behind, but also a familiar way of life and, perhaps most painfully, a language and a culture. That under such circumstances a small minority of Jewish emigrants should have chosen to return from Israel to the USSR—several hundred at the most, out of 150,000—should not therefore come as a surprise. Soviet propaganda advertises these cases as confirmation of its claim that life in the USSR is vastly preferable to life in the Jewish state, but actually, the small number of returnees—despite war and privations in Israel and homesickness for Russia—attests to the contrary. A final anecdote comes to mind. The KGB summons a Soviet Jew for an interrogation: "You have been telling us that you have no relatives abroad—and here you bring us an invitation to join your brother in Israel. What do you say now?" "I stick by my story," the Soviet Jew answers. "I have no relatives abroad. It is my brother who has relatives abroad."

Music

In Praise of Rachmaninoff

Samuel Lipman

THE recent appearance of Vladimir Horowitz with the New York Philharmonic and Eugene Ormandy in Carnegie Hall—interesting for so many reasons both historical and contemporary—provided yet another manifestation of the present gulf between public taste and advanced musical opinion. No exponent of the advanced himself, Horowitz chose as a vehicle for his first performance with an orchestra in twenty-five years Sergei Rachmaninoff's Third Concerto (1909), not only one of the longest and toughest, but also perhaps the last famous piano concerto written in the 19th-century tradition.

Close to the end of this spectacularly romantic work, piano and orchestra join in a mighty anthem, developed out of earlier and relatively simple material. When this point in the Horowitz performance was reached, the audience seemed to lean forward—as it always does at this moment in the piece—and give every visible sign of being ready to burst into enthusiastic song. Faces were radiant and taut with absorption in the music. At the close, the predictable pandemonium broke out, a tribute both to the soloist and to the work he had just played.*

As the excitement mounted, one of America's most respected modernist composers was heard to remark: "That's the worst piece of trash I've ever heard." Obviously the audience disagreed. And yet it was an audience composed almost entirely of Philharmonic subscribers, which meant that it was a veteran of nearly a decade's training by Pierre Boulez, the orchestra's former music director and perhaps the most widely known champion of musical modernism in our day.

The popularity of Rachmaninoff's music with a wide public goes back to his C-sharp Minor Prelude, written in 1892, when the composer was nineteen. Uncopyrighted and sold to a publisher for forty rubles, it achieved world fame in 1898, when the pianist Alexander Siloti, Rachmaninoff's cousin, played it in London. Its popularity subsequently dogged the composer, who found himself obliged to play this favorite of struggling piano students at every one of his innumerable piano recitals.

Rachmaninoff's Second Concerto is perhaps the most frequently performed of his pieces; as played by Artur Rubinstein it was the background music of a late 1940's Hollywood tearjerker about a concert pianist and the source as well for a hit song of the period, "Full Moon and Empty Arms." Slightly later, the eighteenth variation from the last of Rachmaninoff's works for piano and orchestra, the *Rhapsody on a Theme of Paganini*, provided American jukeboxes with still another smash hit.

As for the Third Concerto, it remains the most surefire vehicle available to a virtuoso pianist today. It has been a favorite with Horowitz for many years, and its power was demonstrated by the very fact of his having chosen it for

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* A recording of this performance has been issued by RCA as CRL 1-2633.

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this important and highly publicized concert. So, too, when, twenty years ago, Van Cliburn chose to perform it, along with the shorter and technically easier Tchaikowsky B-flat Minor Concerto, in a sensationally successful New York appearance after his Moscow contest triumph.

Rachmaninoff's strictly orchestral works are also popular. His Second Symphony remains a conductorial showpiece, and his symphonic poem, the *Isle of the Dead*, though played less often than in the past, is still familiar to audiences. Two of his songs, "Lilacs" and the wordless "Vocalise," come as close to being hackneyed as any art songs written in this century. Just about all his compositions are available in modern recordings; many appear in new performances almost every year.*

Critical reaction is plainly pained and embarrassed by all this public favor. The authoritative *New Oxford History of Music* in its concluding volume (1974) simply dismisses Rachmaninoff's "polished superficiality." The respected English chronicler of modern music, Wilfrid Mellers, writes that Rachmaninoff's lifelong conflict between the desire to be musically creative and the wish to be financially successful "finds an echo in our hearts, living as we do in a society dedicated to material gain."

THE object of these disparate judgments by the few and the many was easily one of the most versatile musical figures of the recent past—a pianist and conductor of world stature as well as a composer. In fact, his entire career may be said to represent the final flowering of the Russian musical culture which was to come to maturity uninfluenced by the Bolshevik Revolution and the ideologies of artistic and political radicalism which followed it.

Rachmaninoff was born on a small estate near Novgorod in European Russia in 1873, the child of gentry adapting poorly to the winds of change which had come with the recent abolition of serfdom. By the time he was ten, the family had been forced to leave the rural estate for a crowded flat in St. Petersburg. There the boy, who had always been deeply interested in music, was sent to the Conservatory where he did excellently in musical subjects but poorly in everything else. Later he was sent to study the piano with a famous Moscow master, Nicolai Zverev. Zverev's pedagogical system was both simple and draconian. Although he supported himself in grand style by giving lessons to the rich, his serious work was done with young boys of immense talent whom he taught without charge. These few Zverev required to sever almost all ties with their families and live in his house, "submitting completely to his discipline." Here they were to absorb the piano as a life rather than as a mere profession. Whatever Zverev's actual piano-teaching abilities—no one seems to have heard him touch the piano during a lesson—his successful protégés included not only Rachmaninoff but also Scriabin.

Through Zverev, the young Rachmaninoff experienced much of the rich musical atmosphere of Moscow. At Zverev's, he first met Tchaikowsky, then at the height of his fame. Because Rachmaninoff was by now taking classes at the Moscow Conservatory, he was also invited to play for the *doyen* of Russian music, Anton Rubinstein. Rubinstein, a legendary pianist and (at that time) popular composer, was giving his 1886 series of "historical concerts" in St. Petersburg and Moscow. Rachmaninoff twice heard these surveys of keyboard literature from Couperin to the then present, and they no doubt helped to form his idea of the pianist-composer as conquering hero and master of the musical world.

As part of his musical education, Rachmaninoff, now in his early teens, was allowed to get away from the piano enough to study theory and harmony. His work in harmony caught the attention of Tchaikowsky, and thus encouraged, he began to show more interest in composing than in playing the piano. This led to his expulsion in 1889 from Zverev's hothouse. But within two years, he had finished his First Piano Concerto (heavily revised in 1917), and a tone poem, *Prince Rostislav*, written for his teacher, the composer Anton Arensky. The next year, as one of the tests for graduation from the Conservatory, he was assigned the task of composing a short opera, *Aleko*, based on a poem by Pushkin. He finished it in eighteen days, and the result, added to his piano playing, won him the rarely awarded Great Gold Medal of the Conservatory. His *Aleko* was accepted for performance by the Bolshoi Theater, and Zverev—with whom he was now reconciled—arranged for his music to be published.

Confirming Rachmaninoff's increasing reputation as a composer, Tchaikowsky proposed that *Aleko* be performed as part of a double bill with his own *Iolanthe*. Rachmaninoff continued to compose, writing in 1893 his First Suite for two pianos and a second symphonic poem, *The Rock*. To make some easy money, he also turned out many small piano pieces and songs, all of which are still performed to-

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* In addition to the Horowitz recording of the Third Concerto, new releases of Rachmaninoff works during the past year alone in the United States and England have included:

Aleko (excerpts)
Previn (Angel S-37260)

Concertos
First: Orozco (Philips 6747 397)
Second: Simon (Turnabout 34658)
Third: Berman (Columbia XM 34540)
Sheppard (EMI CFP40257)
Simon (Turnabout 34682)
Fourth: Orozco (Philips 6747 397)
Vásáry (Deutsche Grammophon 2530 905)

Rhapsody on a Theme of Paganini
Lapsansky (Rediffusion Royale ROY-2007)
Simon (Turnabout 34658)
Vásáry (Deutsche Grammophon 2530 905)

Solo Piano Music
Laredo Vol. 4 (Columbia M-34532)
Ohlsson (Angel S-37219)
Ponti Vol. 2 (Vox SVBX-5478)
Ponti Vol. 3 (Vox SVBX-5488)

Songs
Söderström-Ashkenazy Vol. 3 (Decca SXL 6832)
Vishnevskaya-Rostropovich (Deutsche Grammophon 2530725)

Third Symphony
De Waart (Philips 9530002)
Previn (Angel S-37260)

Two-Piano and Four-hand Music
Ashkenazy-Previn (London 6893)
Ponti-Leonardy (Vox SVBX 5488)

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day. But his major compositional effort now was to go into his First Symphony. Performed for the first time in 1897, it was a ghastly failure, more (or so Rachmaninoff thought) for the way it was conducted than for any instrinsic musical shortcomings.

DURING this decade he often found himself severely depressed. He was hit hard by the deaths in 1893 of the two great influences on his life, Zverev and Tchaikowsky, and he suffered too from a chronic lack of money. He managed to support himself, but only just, by giving lessons. For a short time he also worked as an opera conductor in a somewhat sleazy company supported by a Moscow millionaire; here he gained valuable conducting experience and met his lifelong friend and collaborator, the great basso Feodor Chaliapin.

In 1898 the success of the C-sharp Minor Prelude in London brought Rachmaninoff an invitation to conduct and play. The result was such that he was invited to return, and he promised to come back with a better piece than the First Concerto, which he had just performed. But unable even to start the Second Concerto, he fell into a depression which a visit with Chaliapin to the great Tolstoy did nothing to lighten. After hearing Rachmaninoff play his works, Tolstoy asked him: "Tell me, is such music needed by anybody?" Though Rachmaninoff managed a saucy answer when Tolstoy attempted to apologize, his self-regard had been even further damaged. As a last resort he underwent treatment by a hypnotist. Thanks to this therapy, he was at last able to compose the Second Concerto. It was a resounding public success in its first Moscow performance in 1900, as it was to be later in Vienna, London, and the rest of the world.

In 1904 he was appointed to the conducting staff of the Bolshoi Theater, but he soon left to devote himself to composing and went to live in Dresden, where he worked on his First Piano Sonata and the vastly more significant Second Symphony. The *Isle of the Dead* followed in 1909. That same year, in preparation for his first American tour, he completed the Third Piano Concerto which he then played in New York with Walter Damrosch and the New York Symphony, and then—to his much greater satisfaction—with Gustav Mahler and the Philharmonic.

Throughout the years before World War I and the Revolution of 1917, his triple career as composer, pianist, and conductor prospered. His compositions of this period included two religious works, the *Liturgy of St. Chrysostom* (1910) and the *Vespers* (1915). In lieu of another symphony he wrote a large work for chorus and orchestra to a Russian translation of Poe's "The Bells" (1914). And, for the piano, he completed his second set of preludes (1910), the thirteen of which, when added to the ten of the first set—and of course the C-sharp Minor—placed him with Chopin as a composer of one piano prelude in each of the twelve major and twelve minor keys.

As a pianist he devoted himself, after Scriabin's death in 1915, to playing that composer's works. Here he aroused controversy, for Scriabin's adherents felt that Rachmaninoff's approach was too severe and old-fashioned for this mystical and revolutionary music. But as a conductor his triumph was near complete: in Moscow he was called by the press a God-given leader, an equal of Nikisch and Mahler. And in general, something of the aura which surrounded his career and public position in the years just prior to the end of the traditional Russian world may be seen in the composer Glazunov's remarks during Rachmaninoff's visit to the St. Petersburg Conservatory, of which Glazunov was the director: ". . . this is a day to be marked no less than a day when the school is visited by a member of the Imperial family."

Without doubt the Bolshevik Revolution in November of 1917 was the great watershed in Rachmaninoff's life. Though he had signed a petition demanding reforms during the 1905 revolution, he never forgot his quasi-aristocratic social origins. He had held office under Czarist patronage, as a high officer of the Imperial Russian Musical Society. Furthermore, as an estate owner deeply interested in agriculture, he was heavily involved in traditional landlord-peasant relations. A petty irritant, but one he must have felt prophetic of the future, was enforced attendance at Bolshevik-imposed house-committee meetings. It was plain to him that the freedom and the repose he needed for his work, and indeed his very physical existence, had been placed in jeopardy by the Communist accession to power. So it was that he left his beloved Russia at the end of 1917, never to return. From now on he would support himself and his family as a concert pianist.

Given both the trauma of exile and the demands of a keyboard career, his new compositions became fewer. Moreover, they were generally less successful. His Fourth Concerto, written in 1926 and revised more than a decade later, was a public failure, as were his Third Symphony (1935-36) and his last major composition, the *Symphonic Dances* (1940). Indeed, only one work of his last years, the *Rhapsody on a Theme of Paganini* (1934), proved an immediate public success.

THROUGHOUT the 1920's he combined residence in America with an evident inability to give up the Russian world he had lived in so long. He kept up a busy correspondence with musicians who had remained in Russia, and he frequently sent his old friends money. Both in this country and later in Europe, he associated mostly with Russians. Thus when he signed a letter to the New York *Times* in 1931 protesting conditions in the Soviet Union, he was perhaps unprepared for the consequences. These included a boycott of his music and meetings in Moscow and other Russian cities to accuse him of anti-Soviet behavior. By the end of the 1930's—probably because of Stalin's desire to build up Russian nationalism—the music was reinstated, and Rachmaninoff himself was rehabilitated as a person after Hitler's attack on Russia in 1941. For his part, Rachmaninoff supported the Soviet war effort, and

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made several large contributions to Russian war relief.

He died of cancer in Beverly Hills in 1943, several weeks after becoming an American citizen, and a few days before his seventieth birthday. He had been concertizing until almost the end. How much he saw himself as a pianist may be gathered from his touching and often quoted words in the hospital as he lay near death: "At my age one can't miss practice. . . . My dear hands. Farewell, my poor hands. Farewell, my poor hands."

And indeed, his piano performances are supreme examples of the art. Many of them have been preserved on records, and often reissued in the years since his death. At present they are available in a complete set,* constituting documentation of a pianistic achievement which may well rank in excellence if not in scope with that of Franz Liszt and Anton Rubinstein. Most of his recordings are of his own music; in their simplicity and easy technical mastery they have set a high standard for his successors. The only recordings he ever made of extended works by other composers—the B-flat Minor Sonata of Chopin and the Schumann *Carnaval*—are simultaneously imaginative, idiosyncratic, and willful. In these recordings, as in the many he made of smaller Chopin pieces, he has often been accused of revealing more of himself than of the composer. While this criticism may well be justified, it ignores the fact that the immanent tendency of virtuoso performance is self-exhibition rather than self-abnegation.

As a composer, Rachmaninoff was not prolific in the fashion of the greatest masters, but it is not generally realized just how much music he actually wrote. Five works for piano and orchestra, three symphonies, a choral symphony, three symphonic poems, three short operas, two religious services, two piano sonatas, a host of songs and smaller piano pieces; it is an output comparable in size to that of such coevals as Sibelius, Mahler, and Schoenberg, though certainly not in influence to the last two.

In quality, the *Rhapsody on a Theme of Paganini* and the four piano concertos—including the lesser known First and Fourth—comprise the most important body of work for piano and orchestra since Brahms. Their appeal to a wide audience is nicely balanced by the difficult but surmountable technical challenge they offer to pianists. The same can be said about his twenty-four preludes, and to a large extent of his other solo piano pieces as well.

Of his three symphonies, the Second not only seems to me more consistently interesting in its musical material than the Second Symphony of Sibelius (the best-known of the seven written by that composer); it even compares favorably to the symphonies of Tchaikowsky, being both of equal melodic power and rather less harmonically obvious. A similar verdict can be passed on *The Bells*, which was Rachmaninoff's favorite of all his works; unfortunately it requires forces too large to permit frequent performance. Among his symphonic poems, the *Isle of the Dead* easily stands with the comparable productions of Richard Strauss as a masterfully integrated and sensuously beautiful example of late 19th-century orchestral writing.

No such high claims can be made for Rachmaninoff's operas, though *Aleko*, the product of his youthful facility, seems the most successful in its combination of gypsy love and jealousy, well-drawn characters, and attractive melodies. On the other hand, his neglected church services contain some of his most beautiful music. What is most striking about Rachmaninoff's achievement here is his ability, particularly in the *Vespers*, to write freely and originally within the strict rules which governed music composed for the Russian Orthodox Church. Because of his disciplined submission to these rules, and the religious devotion he clearly felt, this music seems rather plainer, purer, and more inward than his other works.

These religious pieces aside, the most obvious of Rachmaninoff's musical virtues are his broad, long-lined, and easily remembered melodies. His orchestration—especially in its use of the strings—also easily catches the listener's ear; in this area his effectiveness was so great that his detractors have often pointed accusingly to the use Hollywood and other commercial composers have made of his characteristic orchestral sound.

But music is more than melody and orchestration. Less obvious is the role played by Rachmaninoff's other compositional virtues in supporting and setting off his melodies. There is, first, his rhythmic energy and the excitement it invariably generates. His work is also rhythmically complex, as is shown by the tendency of his melodies to find their natural climax off the strong beats of the bar. All this vitality, expressed technically by the syncopations with which his music abounds, makes Rachmaninoff both interesting and tricky to perform.

Like the academically well-trained Russian composer he was, Rachmaninoff found counterpoint fascinating. His music is full of inner voices and depends for much of its harmonic richness on his habit, especially noticeable in the preludes, of filling in every blank space on the staff with melodies. An overlooked example of this luxuriant contrapuntal writing may be found in his G Minor Prelude, opus 23 no. 5. Here the slow central section simultaneously combines in its second half three separate strands: the melody of the first half of the section, a motive drawn from the outer parts of the piece, and an additional related melody as well.

Harmonically, Rachmaninoff belongs to the very end of the 19th century. Despite a few attempts in the Fourth Concerto and the *Symphonic Dances* to assimilate some 20th-century developments, any dissonances he used were merely "false notes" employed in addition to and not as substitutes for clearly consonant chords. These chords functioned within a strong and simply tonal, diatonic system.

It is a paradox that Rachmaninoff, whose music seems so Russian to us, belonged, with his mentor Tchaikowsky, to a more cosmo-

* The Rachmaninoff performances, which also include his recordings as conductor of the *Isle of the Dead* and the Third Symphony, are available on RCA ARM3-0260, ARM3-0261, ARM3-0294, ARM3-0295, and ARM3-0296.

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politan group of composers than those who, like the "Five" (Borodin, Cui, Balakirev, Mussorgsky, and Rimsky-Korsakoff), formed a consciously nationalistic school of composition. Despite his attachment to Russian culture, Rachmaninoff looked to the West for his formal musical models. He admired non-Russian composers and performers; he felt that American orchestras in general, and the Philadelphia Orchestra in particular, were the best in the world. Nevertheless, his melodies do have a Russian cast about them; and at the bottom of his harmony one can always find a fully articulated bass line, drawn from the timbre of the Russian bass voice with its distinctive richness and cutting edge.

As far as the guardians of musical opinion have been concerned, the status of Rachmaninoff as a performer has never been in doubt. Their dislike of his compositions, however, has often taken the form of a ferocious attack on Rachmaninoff's principled and total rejection of modernism. Rachmaninoff accepted neither the 20th-century dissolution of traditional harmonic practice nor the new idea of music as social provocation. Not only did his own works hew closely to 19th-century aesthetics and techniques, but he spoke freely of his dislike of the direction music was taking around him. He thought the new music heartless and ugly, a product of the disordered contemporary world. As long ago as 1906, he said he only liked Richard Strauss's *Salome* when "it wasn't too discordant." When the young Henry Cowell brought him a new work for evaluation, his only remarks concerned the number of wrong notes he had found in it. One can only regret that his specific comments about Arnold Schoenberg and his school were never preserved.

Some of the critical attack on Rachmaninoff has made its point by simply denying him any role at all in either 19th- or 20th-century music. He is not mentioned, for example, in Alfred Einstein's classic history of 19th-century composition, *Music in the Romantic Era*. And Joseph Machlis, consigning him to the past in his standard college text, *Introduction to Contemporary Music* (1961), emphatically states: "Although certain of his works have enjoyed a phenomenal vogue with the public, Rachmaninoff has no proper place in a work on contemporary music." Even where he is included, he is often dismissed as a mere follower: Paul Henry Lang, in *Music in Western Civilization* (1941), finds him "entirely under [Chopin's] spell . . . [but] not able to derive from Chopin's heritage more than ephemeral compositions, dated at the time of their creation. . . ."

Critics more sociologically oriented than these have found in the character of his music something even worse than a turning away from the proper course of artistic development. They have seen Rachmaninoff's music as both representative and expressive of a decadent, outmoded, and discarded society. When Rachmaninoff had the temerity in 1919 to call himself a "musical evolutionist"—in contrast to the revolution and anarchy he saw going on around him—the American modernist critic Paul Rosenfeld answered:

> His music is evidently wanting in boldness. On the whole it is cautious and traditional. . . . The school of which Rachmaninoff is perhaps the chief living representative is . . . the work of men essentially unresponsive to the appeal of their compatriots . . . [they] did not hear the appeal. They sat in their luxurious and Parisian houses behind closed windows.

Because he had never been a modernist, Rachmaninoff did not suffer the hatred and personal obloquy reserved for the renegade Richard Strauss; and in any case, these criticisms of his reactionary cultural identification are, at least as description, accurate. He called himself "a ghost wandering in a world grown alien." He did indeed find in the world of his birth a social environment which he thought made autonomous artistic creation possible. More generally, he saw that world as gentler, more civilized, and, despite its flagrant abuses, more merciful and hopeful than all the "utopias" which succeeded it.

Foolish as this notion of bourgeois melioration and social peace may sound in a liberated age, millions of people—among them the vast majority of music lovers—seem to share with Rachmaninoff precisely such a vision of a tolerable and indeed happy past. Whatever Rachmaninoff's exact rank as a composer, it was his achievement to reflect his own world—simply, honestly, and directly. The public has perceived this in his music, which is why that music, regardless of the demands of advanced opinion, will continue to be played, heard, and loved.

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Books in Review

Room at the Top?

ABBA EBAN: AN AUTOBIOGRAPHY. *Random House. 628 pp. $15.00.*

Reviewed by BEN HALPERN

ABBA EBAN'S new *Autobiography*, written in the author's customary sparkling prose, will attract the close scrutiny of journalists and academics concerned with Middle East politics. Like other memoirs by those who have played a part in the dramatic conflicts between Israel and the Arabs, it discloses new documents tending to enhance the image of the author and defend him against criticism. Yet although the currently available evidence regarding major controversial events of our times is enriched by this book, the controversies themselves remain tantalizingly unresolved.

The autobiography covers Mr. Eban's childhood and student background and the whole course of his meteoric career until his present settled eminence, but the most detailed and concretely interesting material concerns the diplomatic history and consequences of three major clashes: the Sinai campaign, the Six-Day War, and the Yom Kippur War. For the first two, Mr. Eban, evidently basing himself on notes taken on the occasion, quotes directly from his discussions with the incumbent American Presidents and Secretaries of State. For the Yom Kippur War, he gives us a full running narrative of a diplomatic history that has already provoked acrimonious debate. Apart from its natural focus on his own outstanding contributions, his report in all three cases highlights the support and friendship Israel has enjoyed from successive American administrations, both Democratic and Republican—a point on which he sometimes differs sharply from the factual and interpretive accounts of many harsh critics of both Israeli and American policies.

Mr. Eban's replies to specific attacks which have been made on him are strikingly brief and low-keyed. His apologia eschews direct rebuttal, relying instead on a full and lively exposition of the positive actions in which his personal involvement was most successful. Thus, he refers in an uncharacteristically laconic way to charges that his tour of European and American capitals in 1967 unduly delayed Israel's reaction to Nasser's renewed blockade of the Tiran Straits:

> The story of a conflict [at a Cabinet meeting] on May 23 between counsels of immediate reprisal and prior political action has become something of a legend, diffused in many books. It is without any substance. No proposal of immediate riposte was made that day.

Instead of extended, indignant denials, Mr. Eban supplies a detailed account of what, in his view, actually happened on the day in question and on the subsequent tour. The polemical intent of these pages will be quite clear to those familiar with Israeli politics, but their main interest lies in the vividly documented record of considerations that moved policy-makers in the governments, including that of Israel, with whose leaders Mr. Eban had to deal officially.

The Yom Kippur War has given rise to a considerable polemical literature, much of it devoted to the question whether the State Department or the Pentagon, Henry Kissinger or James Schlesinger, was more to blame for the delay in airlifting supplies to Israel at the nadir of its fortunes during the battle. Abba Eban could certainly contribute a great deal toward elucidating this question, but once again he avoids confronting it directly, concentrating instead on depicting the scene and the characters as he knew them, from his own (often enough, implicitly polemical) viewpoint. Thus, without mentioning the Pentagon or Schlesinger at all, he says in one brief paragraph:

> An extensive literature has grown up on the responsibility for "delaying" the American airlift, and there has been much tendentious analysis of motivation. In this case, the facts are simpler than the legends. In my judgment and knowledge, there was no prolonged "delay" in the airlift at all. . . . I had the impression that the driving force . . . was Kissinger. . . . For those who know bureaucratic ways in Washington, the astonishing fact is that the airlift was in massive motion about three days after the idea of it was first conceived.

Similarly, Mr. Eban is silent on the statement by Moshe Dayan, of which he is certainly aware, that pressure on Israel to spare the encircled Egyptian Third Army included the threat to use American troops in resupplying them. As against this (unmentioned) fact, Mr. Eban provides an account of the actions and motives of the American government and particularly of Secretary Kissinger, as well as of Israeli political leaders, during the crisis. His presentation persuasively prepares the ground for his summary statements regarding American-Israeli relations:

> All the Presidents with whom I dealt, from Truman to Nixon, were at ease with the special nature of Israel's hold on American opinion. . . . American Secretaries of State . . . have found it more difficult than their Presidents to accommodate themselves to the weight of Israeli reality in American policy. . . . Yet there is not one among them whom I would ever have called an adversary of Israel's basic interests. Some of them, especially Kissinger, deserved more Israeli appreciation than they received.

IT IS hard to quarrel with Mr.

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Eban's calm, factual account and persuasive low-keyed rhetoric. Nevertheless, he himself, on one topic at least, presents a picture of American-Israeli relations that is far from rosy. "The years 1953 to 1956 are a gloomy period in [Israel's] national recollection." America, he says, "compounded our solitude by embarking on what Dulles called a 'new look.'" To add to the difficulty, "The accumulation of clouds abroad was accompanied by a weakening of national resolution at home." This combination of external pressures —especially the withholding of American support—and internal malaise ultimately brought down the dovish ministry of Moshe Sharett. Mr. Eban remarks:

> While the United States and Britain should, in theory, have had an interest in strengthening [Sharett's] position, they . . . behaved as though it was their deliberate purpose to inflict political death on him by sheer frustration. They stubbornly ensured that he should have nothing to show for his patient reliance on diplomacy and international opinion.

The outcome in Israel was the return of Ben-Gurion as Prime Minister, who broke out of the tightening encirclement with the Sinai campaign.

To a contemporary reader this account rings with familiar overtones of the more recent history of American-Israeli relations, from the cry for "even-handedness" in the early days of the Nixon administration to the several stages of pressure in the wake of the Yom Kippur War. Mr. Eban presents this period in a far more mellow light than many anguished commentators on the current scene.

Such matters are debated today on the basis of partial evidence leaked by interested parties to bolster their own cases. Even when future historians will be able to consult the whole corpus of documents, they will still debate the issue in continual cycles of revisionism. But one must say that for all its engaging charm, Mr. Eban's account of American-Israeli relations during the period when the Labor regime in Israel was broken

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and was succeeded by the Begin administration—in a striking parallelism to the Sharett-Ben-Gurion scenario—will seem to most informed current readers excessively serene.

FOREIGN relations were not the only reason for the downfall of Labor in Israel; there was also moral, domestic failure. And even though it is the autobiography of a specialist in foreign affairs, this book cannot be read as exclusively a record of diplomacy. Another implicit theme, dominant in the basic plot if not in the detailed narrative of the book, is the story of the brilliant, but ultimately failed, career of Abba Eban in the perilous world of Israeli politics. (A review of this book in a Jerusalem newspaper was captioned "No Room at the Top"—a reference easily grasped by Israeli readers, even though it referred to nothing in the body of the review.) Mr. Eban, to be sure, is far from conceding political defeat. He closes his book with suggested prospects of still greater eminence in store for him in the future. But the very structure of his own account of his domestic political history, starkly contrasting with that of his diplomatic autobiography, reveals its unsatisfactory nature.

The record of Mr. Eban's triumphs in the United Nations, in Washington, and in Israel's Foreign Ministry is largely a tale of brilliant defensive maneuvers. The Israeli diplomat stood always under attack, a young David beating back numberless foes. If his story is a shining and happy one, it was not because of easy circumstances. Rather, as he continually acknowledges, it was because of his precocious youth and good fortune, the friendly support of Zionist leaders, and the warm acceptance by the general public that attended his success.

Public opinion, he tells us, catches up with policies; he attributes his own achievements as much to the cultivation of public opinion as to the persuasive and reasonable argument with policy-makers. And indeed, Mr. Eban was taken to the heart of the American public. Diaspora Jewry in particular saw him as its own fair-haired boy.

The same qualities and methods, one gathers from Mr. Eban, stood him in good stead in Israel. Yet his autobiography does not offer in the same warm tones any detailed record of successful persuasion in Israeli politics. Mr. Eban notes that he drew large audiences in Israel as abroad, and that his poll ratings were continuously high—a fact of which the Labor politicians were aware and gladly made use. Yet his story of his political career in Israel is strikingly dry and sparse. His references to Israeli colleagues, especially rival leaders of the Labor party, are perspicacious and fair-minded, but where his sketches of fellow-diplomats are warm and generous, his remarks about Israeli politicians seem to be repressing a certain resentment.

What does not emerge from Mr. Eban's account is the fact that the Israeli public, unlike Diaspora Jewry, did not accept him as one of their own. The crowds he drew at election rallies loved the performance but not necessarily the performer. The political importance of this fact seems to have escaped Abba Eban. It may well be, as he repeatedly suggests, that the personal ambitions and biases of rival leaders stood in his way, but more critical was the fact that there has never been any considerable social force in Israel with which he has been intimately identified. In the end, however, this circumstance too may turn out not to be decisive, for the role of cohesive groups in Israeli politics is currently suffering a sharp decline; indeed, the phenomenon of Abba Eban's political career is one of many symptoms of the change.

MR. EBAN came into the Zionist civil service as the personal protégé of people like Weizmann, Sharett, and Berl Katznelson, and into Israeli domestic politics as one of the young men sponsored by Ben-Gurion. (These auspices, being mutually opposed, do much to explain the limitations as well as the rapidity of his political promotion.) In neither case could such an introduction help integrate the young leader into Israeli society. Sharett and Katznelson (though

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not Weizmann) could offer entry into the social base that supported the ruling elite—but not in the case of a young man recruited from the start into the foreign service and long confined there. Mr. Eban joined Ben-Gurion's group of Young Turks at a time when they were assaulting the group-based structure of Israeli politics and promoting an alternative style of individualistic meritocracy. He did not, however, share their common background in the Israeli youth movement or their military comradeship; rather, he represented a pure case of individual talent.

Nothing has contributed so directly to the atomization of Israeli politics as the introduction of television. Mr. Eban, a master of the direct appeal to masses, was naturally attracted to this medium, and as Minister of Education he pushed hard for its adoption by the government. This, together with other factors—the disgruntlement of some unintegrated groups and the growth of a floating vote of managerial and professional types—eventually broke down the long-standing regime based on cohesive, Labor-affiliated groups of loyal voters. The "upheaval" which brought in an alternative, the hawkish and anti-Labor Likud-led government coalition, was precipitated by the abandonment of Labor by disaffected and independent voters.

Unlike many others, Mr. Eban did not leave the sinking ship. His confidence in his old party rests on the view that Labor has the country's best group of able leaders, who could cope with its problems if they all pulled together. But the fact is that many of those whom he so appreciates found it quite easy to transfer their own allegiances, if not before last year's election then soon after. There are reasons why Mr. Eban did not join them, reasons that no doubt include lack of opportunity. One reason, however, is the curious strain of loyalty that pervades the whole life story recounted in this autobiography. Mr. Eban's ties to his socialist Zionism may not be rooted in any intimate identification with a particular group; but they are evidently strong and ra-

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ther deep emotional and intellectual convictions. In England, as a young man, he was a student socialist in Harold Laski's circle; a close friend is remembered for having volunteered in the Spanish Civil War, where he met his death; and as for Israeli socialism, Mr. Eban reveals a rather curious, and totally unexpected, predilection for the autonomous "Labor trend" school system which was dissolved by the Labor regime in the name of national consensus.

While such oddly nostalgic sentiments are not pervasive in the book, a consistent theme of loyalty to persons is. That loyalty which, Mr. Eban ruefully notes, was sometimes not shown to him by others he nevertheless demands of himself, and he gives expression to it in appreciative references to deserving colleagues. Such loyalty is, of course, a standard virtue of politicians, the common coin in which their debts are paid and their power is accumulated. Thus Mr. Eban may after all have estimated his chances more correctly than many think. As this book itself surmises, he may still have more chapters to add to his autobiography in some future turn of the wheel of fortune.

Side Show

FREAKS: MYTHS AND IMAGES OF THE SECRET SELF. By LESLIE FIEDLER. *Simon & Schuster. 367 pp. $12.95.*

Reviewed by PETER SHAW

THERE has always been something ambiguous in the brilliance of Leslie Fiedler. His notorious essay of 1948, "Come Back to the Raft Ag'in, Huck Honey!," still leaves readers uncertain as to whether or not Fiedler was claiming a homosexual relationship between Huckleberry Finn and the black slave, Jim. And in his prophetic essay of 1965, "The New Mutants," Fiedler was unclear as to whether or not he approved of the androgynous, countercultural styles he was there describing. Now, in *Freaks,* which amounts to a study of the 70's, a new kind of ambiguity appears.

In 1971, Fiedler wrote that he had been "reborn for the second time in my life some five or six years ago." He did not specify the event, but he indicated that it led him to resolve no longer to "condescend to popular literature." Whereas he had long treated science fiction, detective fiction, and comic books as "the humbler levels of Pop Culture—where radical transformations in literature are reflected in simplified form"—now he would presumably elevate pop forms to the high place previously occupied by art. In *Freaks* he goes further still, dismissing a movie by Fellini, which he might once have treated as popular culture, because "it is finally art rather than myth . . . and it belongs, therefore, to the critics rather than the kids." As a result of this new aesthetic, the ambiguity in early Fiedler that resulted from his suppressed allegiance to low culture has been replaced by an ambiguity arising from his residual ties to high culture.

This new ambiguity appears to have kept a number of critics from perceiving the revolutionary intentions of *Freaks.* The book's academic style and systematic organization, it is true, suggest a quasi-scientific survey of human anomalies. Or else, as it proceeds along its exhaustive way defining and describing dwarfs, giants, Siamese twins, hermaphrodites, and others, it calls to mind popular compendia like *Ripley's* or the recent *Simon's Book of World Sexual Records,* which it more resembles. Fiedler himself raises the question of whether he is not exploiting the objects of his richly, often scarifyingly illustrated account, and he confesses himself sometimes unable to raise his subject above the vulgar journalistic level. Nevertheless, in two short concluding chapters, "Freaking Out" and "The Myth of the Mutant and the Image of the Freak," Fiedler does succeed in conveying his radical intentions.

The cultural revolution of the 60's succeeded, Fiedler believes, in imposing the tastes of the "dissident young" on "the whole Western world." The 70's have witnessed a

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further departure in sensibility, represented by "freaking out." Where the dissident young used to sympathize with outcasts such as blacks and Indians, identified in Fiedler's early essays as representatives of the "other," now young people have turned to the ultimate outcasts of society, its physical freaks, as representatives of the "secret self." This new self is at once hermaphroditic and anthropophagous—a mutation of the new mutants, one might say. The rock stars who enact cannibalistic orgies while expressing transvestite or ambiguous sexual identities are evoking the geeks and half-man-half-woman displays of the circus side show and the carnival.

Do these expressions of the "secret self" presage a new cultural revolution on the model of the 60's? Fiedler does not quite say. He suggests that the popularity of freaks in the 19th century prefigured Marx and Engels's "revolutionary terror below the surface of Victorian optimism," but he does not go so far as to predict another revolution, either political or cultural, or to reveal how he would feel if one took place. Instead, he characteristically places himself in an ambiguous relationship to the phenomena he is describing: approving where they shock others, but silent on their ultimate tendencies.

His historical and medical survey of freaks, however, can be seen as a contribution to the newest phase in the progress of the dissident sensibility. For with it he has challenged the normal view of life at what he considers, with justification, its profoundest level. The freaks whom he has examined purportedly call into question the ordinary definitions of animal and human, male and female, self and other; they thereby threaten "those desperately maintained boundaries on which any definition of sanity ultimately depends." By the end of his survey, Fiedler has argued that hermaphrodites undermine the concept of "normal" love between men and women, and that "there are not two physiological sexes but many, a continuum rather than a bipolarity." Furthermore, Siamese twins

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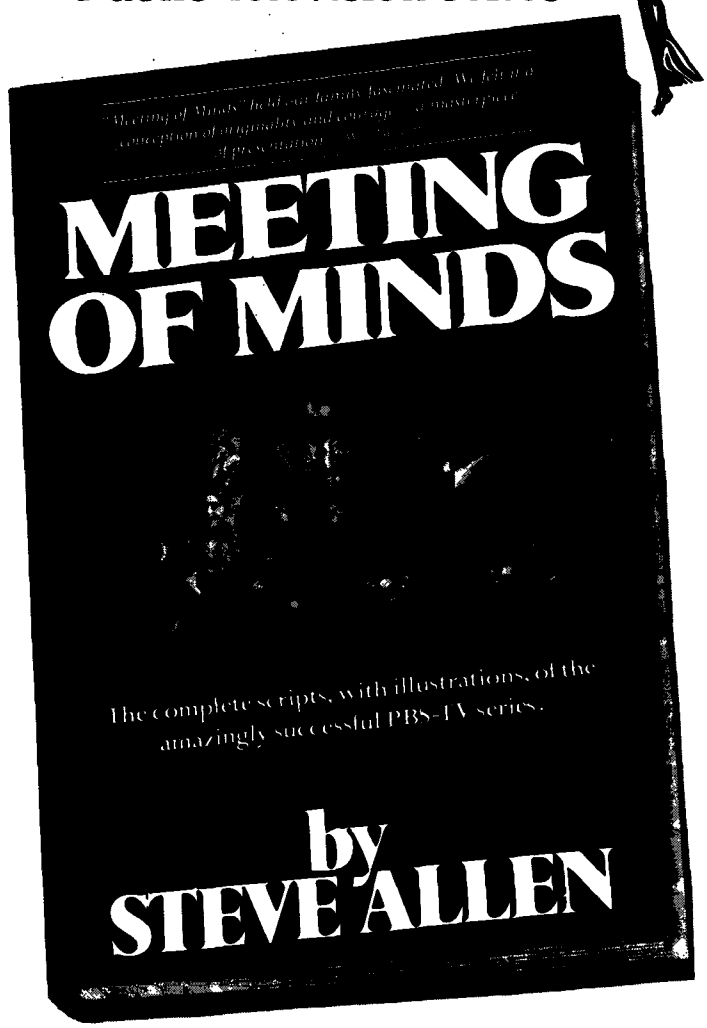

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and the existence of parasites growing in human bodies—limbs, partially formed bodies, even heads—make us "no longer sure that one body equals one self, and one self one body."

Here as elsewhere in Fiedler, the key to art, culture, and society is youth. For it is the adolescent mind, already struggling with the problem of identity, that is most likely to be shaken when confronted with physical anomaly. Where other critics have passed on to the crises of midlife, the rights of old age, and the dignity of dying, Fiedler has stuck to his preoccupation with the young. He now stands forth to champion their access to the *frissons* of the carnival and to the once forbidden excitement of pornographic comics. One would have thought that enough forms of censorship had been defeated by now to satisfy the most demanding permissivist, but Fiedler finds that we suffer from "a time of growing repression," in which society has outlawed "splendidly drawn" horror comics to the lonely protest of "a few valiant critics."

YET Fiedler never quite proclaims himself a revolutionary by virtue of his permissive stand, even though clearly the putative struggle between society and the purveyors of violence and pornography has political implications in his mind. (He remarks that a few years ago "it seemed almost as 'subversive' to say a good word for horror comics . . . as to defend the Hollywood Ten.") Instead, in what may be a return of his repressed sensibility of high seriousness, he argues Bruno Bettelheim's thesis that fantasies of violence benefit children by releasing their secret terrors. Similarly, "the alien, the other, with whom we seek to unite in love is preeminently represented by the Freak; and those societies, therefore, which have tried to socialize that eros may be healthier than those which treat monsters as erotic contraband."

Freaks, then, treats the abnormal both as a subversive threat and as an opportunity for society to heal itself. As he was once ambiguous about the aesthetic value of popular art, Fiedler is here ambiguous about the social consequences of the horrific. Yet despite this new ambiguousness, or more likely because of it, Fiedler has once again managed to immerse himself in the latest excesses of the culture. In the process, he has brought back a report on the final, sometimes violent, transformations of the 60's sensibility. It may not be true, as he claims, that "we have all become a little freakified," but in his own way he makes it clear that we have not yet returned to normal either.

Goldwater of the Left

GRASSROOTS: THE AUTOBIOGRAPHY OF GEORGE MCGOVERN. *Random House. 307 pp. $12.50.*

Reviewed by ARCH PUDDINGTON

DURING his ill-fated quest for the Presidency, George McGovern succeeded in generating more controversy than most politicians encounter in a lifetime. As this book makes clear, neither the humiliating defeat inflicted by Richard Nixon nor the progress of subsequent events has shaken McGovern's faith in the ideas which earned him his reputation as a "Goldwater of the Left." Indeed, for a public official who takes pride in his intellectual integrity, who perceives himself as having the courage to espouse unpopular ideas beyond the constraints of "outmoded preconceptions," McGovern comes across as every bit as predictable in his political thinking as the (largely unnamed) dogmatists whom the Senator repeatedly assails for promoting "anti-Communism at any cost."

What, one is tempted to ask, is the cost of coming to terms with Communist dictatorships or, as McGovern occasionally does, actually welcoming Communism's triumph? To McGovern, the cost has been a distressing corruption of critical and even moral judgment. In a discussion of the bloody aftermath of the Communist takeover in Cambodia (which McGovern blames almost entirely on Amer-

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ican incursions during the latter stages of the Vietnam war), he asserts that "Cambodia was to endure brutal revenge after the Khmer Rouge took Phnom Penh from the *hated collaborators*" (emphasis added). Now, "collaborator" is a word not lightly employed. Collaborators are traitors, and society often justifies the reprisals taken against them. McGovern does not himself label as collaborators the soldiers and officials of the Lon Nol government; he simply adopts, unquestioningly, the Communist definition of the term as his own, a pattern that he repeats again and again throughout this book. Obviously there are any number of words he might have chosen, but in selecting "collaborator" he dishonestly minimizes the forced marches, civilian uprootings, slave-labor policies, and mass killings in Cambodia by implying that there may have been some justification for the "autogenocide" of the Khmer Rouge.

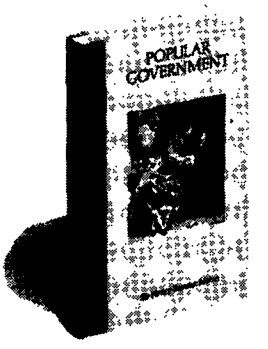
McGovern's inability to criticize, even mildly, the Communist "revenge" in Cambodia is not a momentary lapse of principle prompted by the Senator's well-known and highly emotional opposition to his country's intervention in Indochina. McGovern, in fact, is a confirmed revisionist: ever since his first political involvement as an enthusiastic supporter of Henry Wallace's presidential campaign, he has shared Wallace's conviction that America bore a greater responsibility for the cold war than did the Soviets. He writes:

> I saw the Soviet desire to control the political alignment of its Western neighbors . . . not as the beginning of a Soviet march across Europe, Hitler-style; rather, it was a Soviet reaction, however regrettable, to two world wars. . . . Without excusing the aggressive behavior of the Soviets in Eastern Europe after 1945, I have always believed that we not only overreacted to it, but indeed helped to trigger it by our own post-World War II fears.

Not unexpectedly, McGovern indicts the anti-Soviet rhetoric of Truman, Churchill, and Acheson; going a step further, he seems to regard American support for the anti-Communist forces in Greece and Turkey, along with the Marshall Plan, as additional instances of American "overreaction."

McGovern fears that we are currently threatened by the revival of yet another "red scare"; in response, he seldom misses an opportunity to reassure us about the desire of the Communist nations for peace or to point out the benevolence with which the Communists treat their own citizens. He can express unhappiness with a Communist regime, but never condemn it, even if, as in Cambodia, that regime is carrying out one of the most horrifying mass slaughters in history.

McGovern makes no effort to conceal his admiration for Henry Wallace, whom he describes as an "old-fashioned free-enterprise capitalist and practical internationalist," and seems to regard himself as something of a latter-day "Prophet of the People's Century." But unlike the quixotic Wallace, McGovern has been unusually successful as a practicing politician despite his unorthodox views, having been repeatedly elected to Congress by a state which, until very recently, was dominated by Republicans. When McGovern left a college-teaching job to become organizer for the Democratic party in South Dakota in 1953, there were 108 Republicans and two Democrats in the state legislature. McGovern—shrewd, methodical, and hard-working—rebuilt the party so that, within two years, the state once again had the semblance of a two-party system. And in another two years, in his first political campaign, McGovern won election to the House of Representatives by running a well-organized, aggressive campaign which successfully exploited farmer discontent over the policies of President Eisen-



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hower's Agriculture Secretary, Ezra Taft Benson.

Indeed, although widely perceived as an issue-oriented but impractical idealist, McGovern understands the nuts-and-bolts of political organization building and strategy formulation far better than he grasps the nuances of the "issues," whether foreign or domestic. Of the many Democrats who aspired to presidential nomination in 1972, only McGovern recognized how profoundly the changes in the nominating procedure drafted by the party's reform commission (of which he was chairman) would influence the outcome at Miami Beach. And only McGovern understood that brigades of highly motivated students could be decisive, given the reform guidelines' encouragement of "participatory democracy." McGovern was anything but naive in the way he planned his presidential strategy. He began to give serious thought to the Presidency right after Nixon's 1968 triumph; from then on, the views he expressed, the causes he took up, and the positions he adopted—even the politically risky ones on abortion, amnesty, and marijuana—reflected McGovern's strategy of nailing down the youth, counterculture, and anti-war vote. McGovern was gambling that a determined minority could overwhelm a confused centrist majority; in 1972, he was right, up to a point.

For in designing a strategy calculated to appeal to a narrow minority, albeit an intensely committed one, McGovern was writing the script for his ultimate embarrassment at the hands of Nixon. McGovern, of course, sees it differently: in his view, his chances of defeating Nixon were destroyed by the Eagleton affair, the convention challenge to his right to the California delegates, and the machinations of the Committee to Reelect the President (ignoring the fact that the Republican "dirty tricks" campaign actually sought to discredit Muskie and other centrists in order to help McGovern win the nomination). Although he admits that some voters were unsettled by the "advocates of new styles of life and social behavior" who seemed to predominate among his supporters, he remains oblivious to the powerful sense of resentment generated by his people's airs of moral superiority.

Without question, McGovern himself shares his followers' opinion that anyone who rejected his candidacy was somehow operating on a lower intellectual and moral level. Thus, in discussing labor's coolness to his campaign, McGovern cannot believe that genuine, substantive differences may have been involved. Instead, he tells us that union leaders were "offended" or "turned off" or felt "threatened" or "feared" the changes he and his people proposed for America. By contrast, the way he describes his own supporters puts us immediately in mind of those familiar charges of "elitism" that were so often hurled at him during the campaign: the McGovernites were "deeply committed . . . the real heroes of 1972 . . . their methods and their ideals were essentially right, and over the long term, what they stood for will prevail if the American political process is to prevail." Can there be any wonder why McGovern failed so miserably to "win over the center" following his nomination?

THIS book confirms the misgivings of those who were disturbed by the social and cultural attitudes of the McGovernites, but it is utterly devastating in what it reveals about McGovern's foreign-policy positions—those very positions which in 1972 provoked many Democrats to support Nixon or to boycott the election altogether. What troubled so many Democrats in 1972 was not so much McGovern's commitment to unilateral withdrawal from Vietnam (although they undoubtedly found his hysterical incantations of American "guilt" obnoxious) as his apparent complacency about the nature of Communist societies in general and the long-term goals of the Soviets in particular. By 1972, any number of

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prominent Democrats opposed further U.S. involvement in Indochina; but few, if any, could suggest that "if people want to be organized under a Communist system, we've got to accept the fact that this is their judgment to make," and even fewer could equate, *à la* McGovern, the military presence in Western Europe with the stationing of Soviet forces in the Warsaw Pact nations.

McGovern is not only prepared to coexist with Communist regimes, he is also ready to love them. He is candid in his admiration for the leaders of a number of Third World Communist regimes, and is favorably disposed toward the social and economic arrangements they have imposed on their citizens. Madame Binh, the Vietcong leader, is described as an "eloquent, skillful diplomat," while Vietnamese Premier Pham Van Dong is admired as an "ascetic." McGovern also praises the "grassroots appeal of Mao's revolutionary cadres." (In contrast, during his presidential campaign, he charged that "much of the free world is not free but a collection of self-seeking military dictators financed by hard-pressed American workers.")

McGovern's warm words for the Vietnamese pale before his reverential description of Fidel Castro, who is seen to be possessed of the virtues both of a dedicated revolutionary ("poised, confident, and questioning") and of a man of intellect and good taste ("shy, soft-spoken, and sensitive"). During their meeting, McGovern himself is somewhat less than questioning, although he dutifully raises with Castro some of the more obvious issues, such as human rights and Cuba's African expeditions. But when Castro retorts that Havana's observance of human rights is every bit as good as Washington's, and when he compares the African intervention with the stationing of American troops in Germany, McGovern, ever the good guest, raises not a single objection. Indeed, he goes to ludicrous extremes to justify the massive deployment of Cuban troops in Angola: in typical fashion, he repeats the orthodox Cuban formulation that Castro is merely supplying aid to his "allies" and he implies, either dishonestly or out of ignorance, that black African nations approved of the Angolan intervention. As Bayard Rustin and Carl Gershman have pointed out in these pages,* many non-Communist African heads-of-state have publicly denounced as a "new colonialism" the audacious intervention of the Soviets and their Cuban surrogates.

McGovern is impressed when Castro boasts of having rid Havana of its criminal elements or when he leaves his phalanx of bodyguards to circulate among a group of villagers, never stopping to question whether the long-entrenched police-state atmosphere may have something to do with these examples of enhanced civility. In the end, he is captivated by Castroism to a far greater degree than even avowed leftist sympathizers of the Cuban regime, many of whom have voiced pointed criticisms of its economic failures, and repression of individual liberties.

Although he does not take up the subject explicitly, McGovern apparently subscribes to the point of view that sees equal justice in both the Western and the Communist/Third World definitions of human rights. A fervent advocate of participatory democracy within the Democratic party, he is careful in his discussions with Castro and the Vietnamese to emphasize America's "revolutionary" heritage as opposed to its democratic tradition. Given this mentality, it is little wonder that in a generally favorable evaluation of the first six months of Carter's foreign-policy initiatives (Carter gets high marks for his proposed Korean troop withdrawal, the scuttling of the B-1 bomber, and the moves toward normalized relations with Cuba and Vietnam), McGovern completely omits any mention of Carter's em-

* "Africa, Soviet Imperialism & the Retreat of American Power," October 1977.

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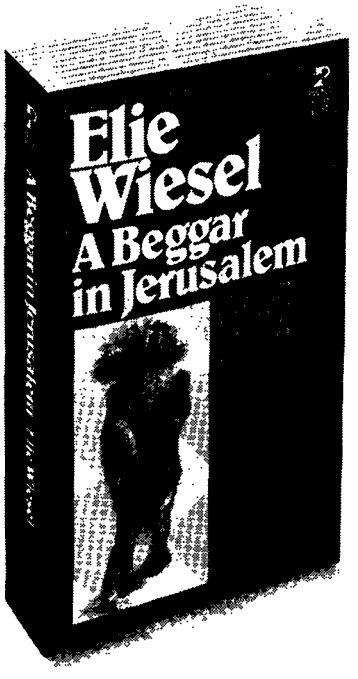

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phasis on human rights, which was the cornerstone of the new administration's policies in its early months.

Grassroots is often tedious; sometimes infuriating. Ultimately, however, reading this book can be an instructive enterprise—particularly, I suspect, for those who, while entertaining no illusions about Richard Nixon's character or politics, were unable to reconcile the McGovern ideology with their own conception of America's role in the world. Those people—trade unionists, anti-totalitarian liberals, and social democrats—had soon to face the consequences of their decision as the sordid story of Watergate began to unfold. Some, no doubt, had second thoughts. But the issue in 1972 was McGovern, not Nixon, and their evaluation of McGovern, this book makes clear, was, if anything, overly generous. They have no apologies to make.

Jail and Society

DISCIPLINE AND PUNISH: THE BIRTH OF THE PRISON. By MICHEL FOUCAULT. Translated by ALAN SHERIDAN. *Pantheon. 333 pp. $10.95.*

Reviewed by ROGER KAPLAN

MICHEL FOUCAULT is one of the most influential contemporary thinkers of France. In two decades of writing on the ways the state invades and controls the lives of individuals, he has had a powerful impact on Left opinion, especially among the young, and must be given much of the credit for the painful reassessment of the relations between liberty and the Communist revolution which is currently being expressed by the "new philosophers." Although Foucault is a man of the Left, he has never been associated with the sort of leftism which consists of the systematic application of Marxist or crypto-Marxist cant to historical and social problems. He is a rigorous and

ROGER KAPLAN *is a program officer with the Smith Richardson Foundation. His article, "France's 'New Philosophers,'" appeared in February.*

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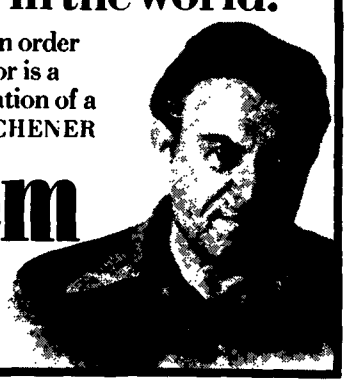

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shrewd historian who has always been controversial, rarely simplistic. His explanations for the way society deals with its deviants are perhaps too neat, but one of his great merits has been, nevertheless, to teach a generation of French intellectuals that truth should not be spelled with a capital "T"; he is, in short, no reductionist and no globalist.

Foucault's latest book to appear in English is *Discipline and Punish: The Birth of the Prison*. As the subtitle indicates, he is continuing to engage here in the enterprise which he began in *Madness and Civilization* (subtitled "The Birth of the Ayslum") and *The Birth of the Clinic* (subtitled "An Archeology of Medical Perception"). As he describes his enterprise in the latter work: "We are doomed historically to history, to the patient reconstruction of discourses about discourses, and to the task of hearing what has already been said." He wants to understand why, in what conditions, thought has progressed along the road that it has. Inasmuch as he believes that the origins of much of the modern consciousness are to be found in the Classical Age, his books explore developments in thought and social policy in the 17th and 18th centuries, with remarks on their logical culmination in the 19th century, which is still with us for the purposes he is interested in. Thus, Foucault asks: why was insanity defined (or redefined) as it was in the Classical Age, and why do we find in the 18th century the birth of the asylum? Why is it that between the mid-18th century and the early 19th century there occurred a revolution in medicine which completely transformed the meaning of disease, of the person carrying it, and of the specialist treating him?

IN HIS latest book, Foucault asks similar questions of modern penology. He compares the history of the development of prisons with judicial innovations and the writings of early criminologists and penologists. He does not contest the facts of criminality, nor does he cast cutthroats and robbers in the role of heroic rebels against an unjust social order (any more than in his earlier works he doubts the fact of mental disease). But just as he probably would affirm that society has the madmen that it chooses, so it has the criminals that it needs. For the central thesis of this book is that control—not reform—of the criminal element in society is what modern changes in the criminal-justice system have been intended to achieve.

The French title of the work is *Surveiller et Punir*: the excellent translator, Alan Sheridan, explains in a note that it was impossible to render this exactly and that Foucault himself suggested "discipline." *Surveiller* means to observe in order to control. This may result in discipline, but it does not require the subject of observation to discipline himself. Control remains the key to the system. "We must first rid ourselves of the illusion that penalty is above all (if not exclusively) a means of reducing crime. . . ." Penalty, rather, is a technique of control, that is, of power. This is why Foucault speaks of a "political economy" of punishment. This is a sweeping thesis—one which will surely provoke disagreement—but it is based on two facts which themselves are rather sweeping: neither penology nor the critique of penology has changed much since the early 19th century.

Before the mid-19th century, a critique of the prison (itself a recent innovation) had emerged that was surprisingly like the one we hear today: prisons do not diminish the crime rate; detention bears a causal relation to recidivism; prisons are schools of crime and breeding grounds for gangs, the permanent subculture of the underworld; the conditions of prisons destroy any incentive a prisoner may privately harbor to mend his ways; imprisonment throws the family of the prisoner into destitution, and encourages it to turn to crime. Similarly, "progressive" rules of prison administration

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have been in effect for a hundred and fifty years—everything from the basic idea that a prison should be designed to transform the prisoner's behavior for the better to the notion that a specialized staff can accomplish this aim—with so little success that critics keep calling for more of the same.

Foucault argues that reformers have been perceiving a "prison problem" for a century and a half because there really never was supposed to be a "prison solution." The state had too much to gain from a permanent class of delinquents. In the first place, such a class was, and remains, of great use to the police, for intelligence-gathering purposes as well as for establishing and underlining a sharp distinction between the criminal element and the working classes. And in the second place, prisons and their inhabitants are laboratories for the control by the state of its own citizens. For at bottom Foucault believes that criminal justice in the 18th and 19th centuries was becoming a tool in a vast program by the state to impose order on society and make its members useful, not necessarily good, citizens. In this sense, ". . . the power to punish is not essentially different from that of curing or educating."

IT IS a measure of Foucault's talent and erudition that one can question or even reject these views, which are so unsympathetic to the accomplishments of the bourgeoisie, and still find that he has written an extremely useful book. And it is true that there has been, alongside the liberation of the individual which the rise of the middle classes brought with it, a contrary tendency toward conformity and control. The latter is epitomized, Foucault suggests, in Jeremy Bentham's outrageous idea for a prison where each inmate would be under observation twenty-four hours a day, during which time there would be not one unplanned minute. Is the idea really so unthinkable in our age of electronic surveillance?

> The ideal point of penalty today would be an indefinite discipline: an interrogation without limit to a meticulous and ever more analytical observation, a judgment that would at the same time be the constitution of a file that was never closed, the calculated leniency of a penalty that would be interlaced with the ruthless curiosity of an examination, a procedure that would be at the same time the permanent measure of a gap in relation to an inaccessible norm and the asymptotic movement that strives to meet an infinity.

There are armies of specialists today in the techniques of observation and normalization—to begin with, all the boondogglers in the Department of Heath, Education, and Welfare—and what Foucault finds their predecessors doing in the early prisons is not really all that different from what so many of our own regulators seem bent on doing.

But here, as the French say, is the *hic*. Why should this tendency toward control be linked necessarily—and so facilely—with a class whose rise to preeminence in the modern world was everywhere else accompanied by the assertion of freedom and individual rights? Is it not at least conceivable that the control systems—prisons, hospitals—which so fascinate Foucault represent rather a reaction *against* the bourgeois spirit, with its insistence on autonomy and its opposition or indifference to "organic" conceptions of society?

Simply to raise these questions takes us beyond the specific argumentation of Foucault, beyond its deft formulations and descriptive brilliance, into a quite different realm. We are reminded that the history of ideas is written by historians who themselves are part of history, and that Foucault, in the process of exerting his very considerable influence on the generation of the 60's, has inevitably accepted the terms of reference of his cultural milieu. *Pas d'ennemis à gauche*—no enemies on the Left: in French political life the slogan may occasionally be more honored in the breach than in the observance, but in today's French academic and intellectual world it continues fairly to characterize the preconceptions, indeed the very atmosphere, which condition and limit the work of thinkers like Fou-

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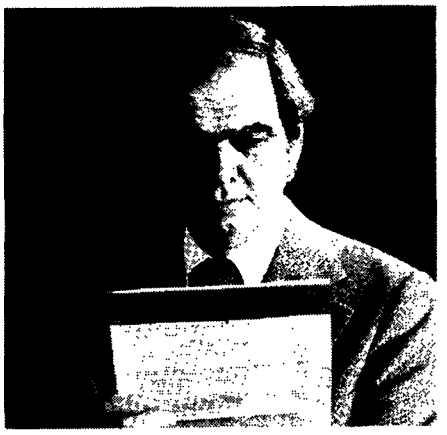

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cault, however original and full of insight they may be. When this situation changes, and there are signs that it may be changing, one can expect that Foucault, with his extraordinary subtlety, his ironic trendiness, will not be the last to catch the wind.

Revisionism

THE GIANTS: RUSSIA AND AMERICA. By RICHARD J. BARNET. *Simon & Schuster. 190 pp. $8.95.*

Reviewed by PAUL HOLLANDER

THERE are three things wrong with this book, which is both a product and an example of the revisionist school of the cold war. The first is the author's image of the Soviet Union; the second, his perception of the United States; and the third, his idea of Soviet-American relations.

To begin with Mr. Barnet's image of the Soviet Union, this may be summed up as that of an insecure, bumbling giant. The giant had a difficult childhood, and its traumas continue to bedevil him in adulthood; this is why he must continue to throw his weight around, to brag, and to pretend to be the strongest of all giants. But one would be wrong to take the aggressive rhetoric or the ideology behind the rhetoric too seriously, for in reality this giant is mature and responsible and anxious to preserve the status quo.

How does Mr. Barnet deal with facts that are difficult to square with this image? There are always, it turns out, special explanations. Thus, the Soviets only became involved in Angola because the circumstances were "irresistible" and it was "a special situation not likely to be repeated." (Ethiopia, one supposes, is yet another such special situation.) The spread of Soviet control over Eastern Europe was a purely defensive measure. The Soviet Union showed commendable restraint in not giving all-out support to the Portuguese Communist party. There was nothing the Soviet Union could have done to discourage the Arabs from attacking Israel in 1973. The invasion of Czechoslovakia "symbolized Russia's moral weakness, not its strength." In other words, even where Soviet aggression may be acknowledged to exist, Mr. Barnet believes that it is to be treated gently and with understanding, approached in the spirit of the psychotherapist who is reluctant to judge actions of his patient which may have been induced by the underlying traumas of childhood.

As for the United States, it gets no such benefit of the doubt. America in Mr. Barnet's view is stronger than the Soviet Union, more cohesive and stable, more warlike and hostile. Where Soviet aggression must be seen in context and treated with compassion, and hostile Soviet rhetoric, in particular, must never be taken seriously, "American ideological fervor" is a real threat to world peace and must be taken very seriously indeed.

The main differences Mr. Barnet sees between the Soviet Union and the U.S. are those which can be used to justify a more critical stance toward the United States; for the rest, he sees similarities—a growing convergence between the two nations. This convergence, he argues, has been brought about through the technological modernization of Soviet society, which has made it more and more "American," and also by a growing similarity between the elites running the two countries, including a similarity between their misperceptions of one another's society. It is these misperceptions which Mr. Barnet finds responsible for much of the hostility between the U.S. and the Soviet Union, and it is these which he would like to see reduced in the interests of mutual reconciliation. He stops short of adopting the philosophy of the Citizens Exchange Corps—that if enough Russians and Americans discovered one another's human essence over good food, drinks, and talk, the problems between the two countries would be practically eliminated. But he too seems to believe that

PAUL HOLLANDER, *a professor of sociology at the University of Massachusetts (Amherst) and an associate of the Russian Research Center at Harvard, is the author of* Soviet and American Society: A Comparison *(Oxford).*

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personal contacts between elites are of utmost importance, and that greater weight should therefore be given to after-dinner and cocktail-party conversation than to what is printed in *Pravda*—a proposition which some other "experts" in Soviet-American relations also seem to regard as self-evident.

WHILE one can question both many of the specific points and the major arguments advanced here, the greatest liability of this volume is the author's addiction to highly dubious and sometimes grotesque parallels between the two societies and their foreign policies. The book opens with the following statement: "Each player depends upon the other not to upset the table . . . each imputes to the other a master plan that tends to be a mirror image of its own." And it continues in this vein throughout:

> In the years of coexistence . . . what each society has produced, how each has spent its money, how much secrecy each has craved, and how each has treated the rest of the world have been substantially determined by what a roomful of men in the White House and Kremlin thought their counterparts were doing or were about to do. . . .
>
> The one thing American politicians and Soviet politicians have usually agreed upon since the beginning of the cold war is that they are engaged in an ideological struggle. . . .
>
> . . . the official eschatology in both Washington and Moscow still embraces the fantasy of mass conversion [of the other side]. . . .

And on and on. John Foster Dulles's view of Communism was the "mirror image" of the Communist view of capitalism. If there were no free elections in Eastern Europe, neither were there any in the American South. The massive, orchestrated, all-embracing vilification of the U.S. by the Soviet Union is equated with the author's recollection of "American comic-strip caricatures of the Soviet Union in this [cold-war] period. . . ." Academic institutions "in both countries" are at the service of the government and intelligence-gathering operations, and "scholars at the [Moscow] Institute for the Study of the United States are in much the same position as scholars at the Harvard Russian Research Center or at the Columbia Institute of Russian Studies." And needless to say, "The military establishments on both sides subscribe to the same basic principles. . ." and "constitute a potent political force with which the political leadership must negotiate." In short, Soviet-American relations during the cold war come down to "a history of mutually reinforcing misconceptions." "The madness of one bureaucracy sustains the other."

IN its refusal to concede that there are fundamental differences between the American and the Soviet systems and their foreign policies, this book is typical of a certain

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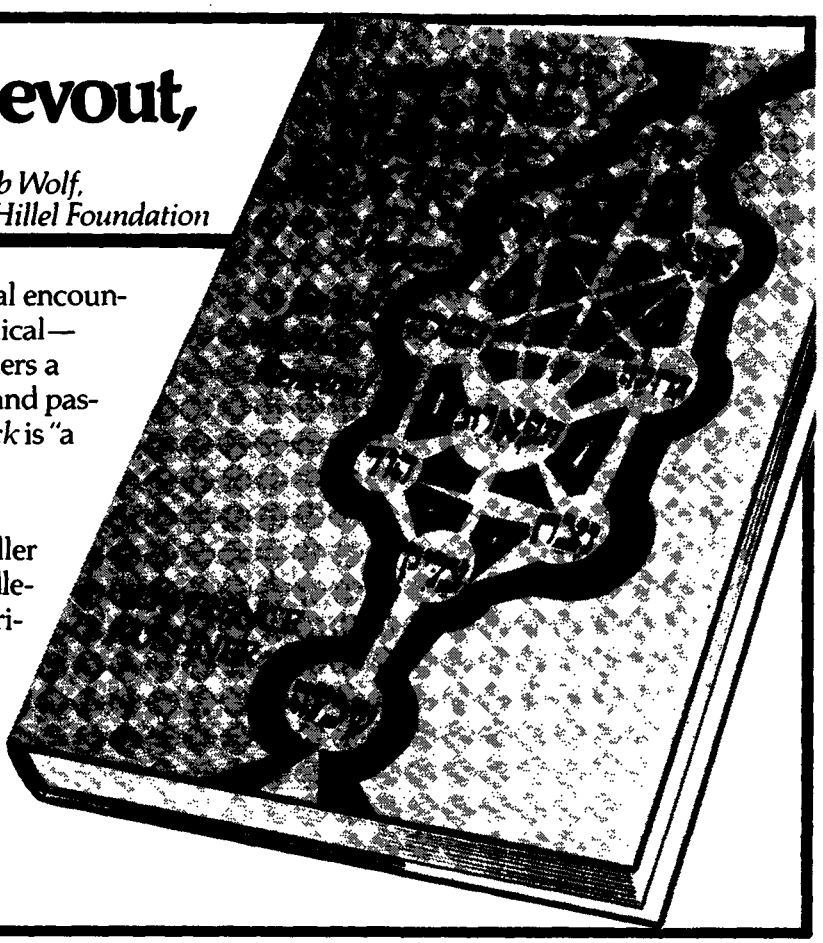

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American mindset. But what explains the reluctance to confront such differences? Why the fascination with convergence theory and the relentless search for symmetry and "mirror images"?

I can think of several explanations. A major one is that if we can believe that the Russians are not so different from us, are in fact becoming more like us every day, then they also become less threatening. One can "understand" that Russians want cars, washing machines, suburban homes, and trips abroad, and one can therefore "understand" the mentality of a leadership which says it wants to provide them with such amenities but has to balance its domestic priorities against its foreign-policy objectives. The notion of convergence even succeeds in making such qualities as greed, corruption, and bumbling positively endearing, and somehow preferable to ideological purity, dedication, or adherence to principle.

There is also the persistent lure of a technological-economic determinism. Insofar as the Soviet Union has become a modern industrial society, it cannot be all that different from our own—or so the argument goes. Economic rationality presses for similar solutions to similar problems; the pursuit of efficiency is incompatible with ideological dogmatism. This idea is especially reassuring because of its apparently hard-nosed, quasi-scientific underpinnings: it is not wishful thinking, but merely an acknowledgment of how modern industrial societies *must* operate. So too with Mr. Barnet's particular emphasis on the similarities of the two elites, which rests on the currently fashionable idea that in our times entrenched bureaucracies shape the course of international relations (bureaucratic determinism).

The belief in American-Soviet similarities also derives from a genuine difficulty which pragmatic people have in accepting that others take ideas and ideologies seriously. Surely, if American politicians running for office or trying to stay in office don't mean what they say, can Soviet functionaries be different? The notion that their-elites-are-as-bad-as-our-elites is probably rooted in a generalized mistrust of those who hold power. As such it is certainly a healthy impulse. Yet it unfortunately obscures more than it illuminates.

The same applies to the "mirror-image" perspective which Mr. Barnet embraces so wholeheartedly, and which facilitates his explanations of the two countries' behavior. The "mirror-image" perspective allows one to take a more "objective" view of Soviet-American relations: both systems may be seen to be at fault, for each has its own specific vices which mirror those of the other. We have McCarthyism and racism; they have Stalinism and the purges. We are obsessed with money and profit; they are obsessed with ideological conformity. Yet as with the notion of a growing similarity between the two societies, the policies or actions that are alleged to mirror one another turn out on closer inspection to have little in common.

MR. BARNET does have some reservations about the benefits of convergence; in fact he acknowledges that it may lead to greater Soviet assertiveness in international affairs. But he reaches this conclusion by arguing that the Soviet military bureaucracy has become a mirror image of the American and *therefore* more aggressive. This is entirely characteristic of the benign attitude he takes toward almost everything the Soviet Union says and does; of his pervading suspiciousness toward American policy-makers; and of his spurious attribution of symmetry to two highly dissimilar regimes. There must be better ways to pursue the possibilities of peace and international stability than through misreading the nature of both Soviet and American society.

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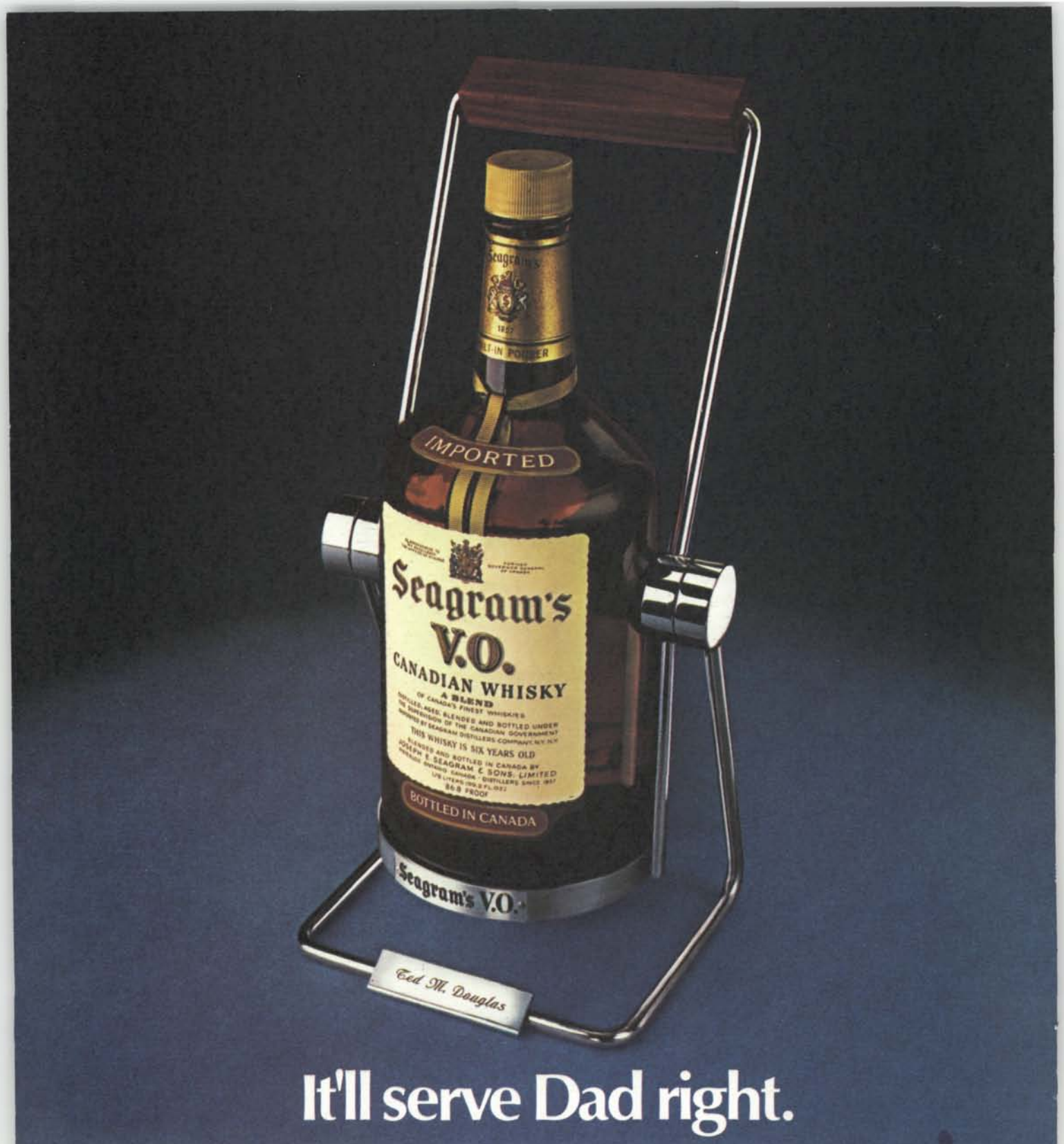

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